



City of Woodson Terrace

Zoning Code

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Planning & Zoning Committee



Woodson Terrace Zoning Code

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ARTICLE I. GENERAL PROVISIONS

SECTION 400.10: SHORT TITLE

This Chapter shall be known as "The Zoning Ordinance of Woodson Terrace, Missouri", and may be cited as the "Zoning Ordinance". (Ord. No. 728 Art. I §Z-1, 5-16-74)

SECTION 400.20: PURPOSE

This Chapter is enacted pursuant to authority conferred under State law for the purpose of regulating and controlling the zoning and use of land and buildings within the City of Woodson Terrace in order to promote health, safety, morals, comfort, and general welfare; to secure economic and coordinated land use; and to facilitate the adequate provision of public improvements. (Ord. No. 728 Art. I §Z-2, 5-16-74). These regulations are specifically designed to:

1. Reflect and effectuate the goals and objectives of the Comprehensive Plan;
2. Preserve and protect property values throughout the City and promote their orderly and beneficial development;
3. Provide privacy and convenient access to property;
4. Regulate the intensity of land use and establish open areas surrounding buildings and structures necessary to provide adequate light and ventilation and to protect public health and safety;
5. Regulate and limit the height of buildings and structures;
6. Divide the City into zoning districts and establish, by reference, a map showing the boundaries of such districts;
7. Establish reasonable standards to which land, buildings, structures and their uses must conform;
8. Prohibit uses, buildings or structures which are incompatible with the character of development, uses, buildings, or structures permitted within specified zoning districts;
9. Prevent illegal additions or alterations to existing buildings or structures;
10. Protect against fire, explosion, noxious fumes and odor, heat, dust, smoke, glare, noise, vibration, radioactivity and other nuisances and hazards to the public health, safety and general welfare.
11. Prevent overcrowding of land and lessen or avoid congestion in public streets and rights-of-way by regulating the use and bulk of buildings in relation to surrounding land use(s) and roadways.
12. Protect the natural environment of the community and its unique assets of trees, water courses, stormwater control, and topography.
13. Protect existing public and private property from impacts associated with development.
14. Provide for the continuation of non-conforming uses as required by law;
15. Designate and define the powers and duties of the officials administering and enforcing this Chapter; and
16. Provide penalties for the violation of this Chapter. (See Section 400.470 Penalties)

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SECTION 400.30: VALIDITY—SEVERABILITY

The provisions of this Chapter are hereby declared to be severable. If any Section, paragraph, sentence, or clause of this Chapter shall be held invalid, the invalidity of such Section, paragraph, sentence, or clause shall not affect the validity of the remainder of said Chapter. (Ord. No. 728 Art. I §Z-26, 5-16-74)

SECTION 400.40: APPLICATION OF REGULATIONS

- A. No structure or land shall hereafter be used or occupied, and no structure or portion thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with these regulations.
- B. Every building hereafter erected or structurally altered shall be located on a lot and in no case shall there be more than one (1) principal building on a lot, except as otherwise permitted in this Chapter.
- C. This Chapter is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, Statute or other provision of law. The requirements of this Chapter should be considered minimum requirements, and where any provision of this Chapter imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence. (Ord. No. 1725 §6, 2-21-08)
- D. In case of conflict between this Chapter or any part thereof, and the whole or part of any other existing or future ordinance, the most restrictive in each case shall apply.

SECTION 400.50: VESTED RIGHTS

- A. For the purpose of single-family residential development in the City's Residential Districts, development rights for the approved use of land shall vest upon approval of the Director of Economic Development and/or Director of Public Works pursuant to Section 400.410 (A) recording of the final plat for such land. If construction has not begun within one (1) year of recording the plat, the development rights shall expire unless an extension is granted.
- B. For all non-single-family development, development to the approved use of land shall vest upon approval of a Final Development Plan pursuant to Section 400.410 (D). If all permits required for such development have not been issued and the completion of substantial amounts of work under the validly issued permits has not begun within one (1) year of approval of the site plan, the development rights shall expire unless an extension is granted.
- C. The Planning Commission may for good cause as presented by the applicant grant a single extension of vested rights. Vested rights for single-family development shall not be extended for more than one (1) year. For all non-single-family development, an extension of not more than six (6) months may be granted. Applicants seeking an extension shall submit a statement in writing, justifying the extension. In considering an extension, the Planning Commission shall consider the following factors, as well as other relevant considerations:
 - 1. Undue or unnecessary hardship placed upon the property owner;
 - 2. The extent to which the current regulations would hinder the ability to complete development;
 - 3. Unanticipated conditions which have prevented completion of the project; and
 - 4. Conformance with the general spirit and intent of the zoning and subdivision regulations.

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5. Nothing in this Subsection shall be construed to confer any development rights beyond those shown on approved plans submitted to the City or otherwise authorized by applicable Zoning and Subdivision Regulations.

SECTION 400.60: RULES OF CONSTRUCTION

- A. **Definitions and Usage:** For the purposes of this Chapter, all words and terms used in this Chapter are limited to the meanings given to them by this Section or as specifically provided in another Section of this Chapter. Words or terms that are not defined shall be given their common dictionary definition. Unless the context clearly indicates to the contrary, the following interpretations apply:
1. Words used in the present tense shall include the future tense.
 2. Words used in the singular shall include the plural and words used in the plural shall include the singular.
 3. The word "shall" is mandatory.
 4. The word "may" is permissive.
 5. Unless otherwise specified, all distances shall be measured horizontally.
 6. The word "City" means City of Woodson Terrace, Missouri.
- B. **Definitions in Other Chapters.** If a word or term is not defined in this Section but is defined elsewhere in this Chapter or in the Woodson Terrace Municipal Code, that definition shall be applicable unless the context indicates that a standard dictionary definition is more appropriate

SECTION 400.70: DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Chapter, unless otherwise specifically stated:

ACCESSORY BUILDING OR STRUCTURE: Any building or structure, the use of which is incidental to the principal use of another structure on the same premises. A building housing an accessory use is considered an integral part of the main (principal) building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

ACCESSORY USE: A subordinate use of a building or land which is incidental to the principal use of the premises and customarily associated with the principal use and located on the same lot as the principal building or use.

ADULT ENTERTAINMENT USE: An establishment consisting of, including or having the characteristics of any or all of the following:

1. *Adult store.* An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, publications, videos or sexually oriented toys, novelties or relationship aids that are distinguished or characterized by the emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.
2. *Adult cabaret.* An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

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3. *Adult mini motion picture theater.* An enclosed building with a capacity of less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.
4. *Adult motion picture theater.* An enclosed building with a capacity for fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.
5. *Exotic dance facility.* Any building, structure or facility which contains, or is used for commercial entertainment, where the patron directly or indirectly is charged a fee to observe "specified anatomical areas", provided that the genitals and pubic areas of all persons and the areola and nipple of the breast of all female persons are opaquely covered. "Specified anatomical areas" shall include:
 - a. Less than completely or opaquely covered human genitals, pubic region, buttocks or female breast area below the point immediately above the top of the areola; and
 - b. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

ALLEY: A minor public thoroughfare which affords only a secondary means of access to abutting property.

AUTOMOTIVE CUSTOMIZING SHOP: An establishment or place of business that primarily provides after-sales services for automobiles, including the attendant retail sales of accessories for such automobiles, such as installation, conversion and modifications to the interior or exterior of automobiles, but excluding automotive repair shops.

AUTOMOTIVE PARTS AND SUPPLY STORE: An establishment or place of business primarily engaged in the sale of merchandise that is associated with the use, repair or upkeep of automobiles, including service and installation, but excluding automotive repair shops.

AUTOMOTIVE FILLING STATION (CONVENIENCE STORE): Any structure or premises used for dispensing or sale, at retail, of vehicle fuels or lubricants, including alternative fuel sources, where the retail sale of convenience items are also sold, unless otherwise prohibited in the Chapter.

AUTOMOTIVE RENTAL AGENCY: An open area, other than a street or alley, used for the storage, cleaning and rental of passenger vehicles and where no repair work is done except minor maintenance of such vehicles rented on the premises.

AUTOMOTIVE REPAIR SHOP: An establishment or place of business primarily engaged in the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, transmissions, glass, and engines or engine parts, but excluding dismantling or salvage. Automotive repair shops also include:

- *AUTOMOTIVE PAINT OR BODY SHOP:* The use of a building or premises for the repair of automotive bodies and/or major mechanical works, straightening of body parts, painting, welding, or storage of automobiles not in operable condition.
- *AUTOMOTIVE TIRE STORE:* An establishment or place of business primarily engaged in the sale of tires and services relating to the repair or purchase of tires for automobiles.

AUTOMOTIVE (VEHICLE) SALES: An open area, other than a street or alley, used for the display, sale or lease of new or used motor vehicles and where no repair work is done except minor incidental repair of such

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motor vehicles to be displayed, sold or leased on the premises.

AUTOMOTIVE SERVICE STATION: An establishment or place of business primarily engaged in the lubrication of vehicles and replacement or installation of minor parts and accessories. Such use shall include establishments that provide express oil changes, and sell at retail. Filling stations do not include uses primarily engaged in major repair work such as engine replacement, body and fender repair, or spray painting- for such uses see "automotive repair shop".

AUTIMOTIVE (CAR) WASH: A building or portion thereof containing facilities for washing, waxing, drying, polishing or vacuuming private automobiles, light trucks and vans, but not commercial fleets. For purposes of this ordinance, self-serve car wash establishments where no employee and/or attendant are present during operating hours are not included in this definition.

BAR, TAVERN OR LOUNGE: An establishment where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food. The facility shall be duly approved and licensed as required by applicable state and local regulations. Any establishment which serves food, where the serving of food is secondary to the serving of liquor, such as a bar and grill, shall be classified as a tavern/lounge.

BARBER SHOP, BEAUTY SALON OR SPA: A commercial establishment that serves its customers by cutting and dressing hair, shaving or trimming beards, and/or providing manicures, pedicures and facials. For purposes of this zoning code, establishments that provide manicures but do not cut hair will also be considered a Beauty Salon.

BASEMENT: That portion of a building that is partly or completely underground. A basement shall be counted as a story if used or intended to be used for dwelling or business purposes.

BLOCK: An area of land surrounded by public highways, streets, streams, railroad rights-of-way, parks, or other similar areas or facilities.

BOARD OF ADJUSTMENT: A local body, appointed by the Mayor and approved by the Board of Aldermen, charged with hearing appeals and authorizing variance to the requirements of this Chapter.

BOARDING HOUSE (GROUP HOME): A building, other than a hotel, where, for compensation and by prearrangement for definite periods, meals and/or lodging are provided for a minimum of three (3) but not more than fifteen (15) persons, but not for the public or transients. The classification shall include a single family dwelling or single family residence where eight (8) or fewer unrelated mentally or physically handicapped persons reside. All uses shall comply with Section 89.020.

BUILDABLE LOT WIDTH: The width of a lot minus the combined widths of the minimum required side yards.

BUILDING: A structure that is permanently affixed to the land, has one (1) or more floors, one (1) or more exterior walls, and a roof, and is designed or intended for use as a shelter, but a "building" shall not include any vehicle, trailer (with or without wheels), nor any movable device such as furniture, machinery or equipment. The word "building" shall include the word "structure" and vice versa.

BUILDING, HEIGHT OF: The vertical distance measured from the average finished grade to the highest point of the roof of a building or highest point of any permanent part of the building.

BUILDING LINE: That line which represents the closest points that a structure can be erected to the front,

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side, and rear property lines.

BUFFER: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

BUSINESS OR VOCATIONAL SCHOOL: A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zoning district. Incidental instructional services in conjunction with other primary use shall not be considered a business or vocational school.

CATERING SERVICE: An establishment engaged in the preparation of food and beverages for consumption at another location. Catering shall not include the manufacturing of food as defined in “Food/Bakery Product Manufacturing.”

CEMETERY, CREMATORY, MAUSOLEUM: Land used or intended to be used for burial or cremation of the dead, whether human or animal, including a mausoleum or columbarium.

CLINIC (MEDICAL; DENTAL, OUT-PATIENT): The practice of medicine or dentistry for humans including assistants and laboratories, but not including, in-patient care or operating rooms for major surgery.

CLUB, CIVIC, or FRATERNAL ORGANIZATION: A membership association composed of persons who are bona fide dues paying members and to whom (and their guests) use of facilities owned or leased by the association is generally restricted. Such definition shall include buildings owned or operated by a person, for a social, educational, or recreational purpose, but not primarily for profit and not primarily to render a service that is customarily carried on as a business. This definition shall include organizations such as the American Legion, Masonic Lodge and Veterans of Foreign War.

CO-BRANDING (CO-BRANDED STRUCTURE): The pairing of two nationally branded retail businesses in a single facility. The most common co-branded developments consist of a fast-food restaurant franchise and a major branded automotive fueling station.

COMMON LAND: That land set aside for open space or recreational use for the owners of the residential lots in a subdivision and which is conveyed by the developer in fee simple absolute title by a warranty deed to trustees whose trust indenture shall provide that said common land be used for the sole benefit, use and enjoyment of the lot owners present and future. No lot owner shall have the right to convey his/her interest in the common land except as an incident of the ownership of a regularly platted lot.

COMMUNICATION TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and the like.

COMMUNITY CENTER: A facility maintained by a public agency or by a not-for-profit community or neighborhood association primarily for social, recreational, or educational needs of the community or neighborhood.

COMPREHENSIVE PLAN (MASTER PLAN): The plan or any portion thereof, adopted by the Planning Commission pursuant to RSMO Chapter 89 for the coordinated development of the City.

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CUL-DE-SAC: A short street having one (1) end open to traffic and being terminated at the other end by a circular vehicular turnaround.

DAY CARE (CHILD), COMMERCIAL: An establishment used for the purpose of a day care center, day nursery, nursery school, day school, kindergarten (not connected with a school as defined herein) or similar use which constitutes the normal care of more than five (5) physically and mentally sound children. Child care facilities shall meet all requirements and specifications of the Division of Health and other State or local agencies having jurisdiction over child care facilities.

DAY CARE (CHILD), RESIDENTIAL: A day care establishment conducted in a private residence that provides care, protection and supervision for five (5) to ten (10) individuals at any one time, excluding those persons related to and residing in the home of the day care provider. A use that provides care, protection and supervision for individuals on a regular basis away from their primary residence for less than 24 hours per day. Residential daycare facilities shall meet all requirements and specifications of the Division of Health and other State or local agencies having jurisdiction over child care facilities.

DEDICATION: Intentional transfer by the developer to the public of ownership of, or an interest in, land for public purpose. Dedication may be affected by compliance with statutes relating to dedication of land, by formal deed by conveyance, or by any other method recognized by the laws of the State of Missouri.

DERELICT VEHICLE: An automobile, truck or other motor vehicle which has been either damaged to such extent that it cannot operate under its own power and will require major repairs before being made usable or does not comply with State or municipal vehicle licensing laws or ordinances.

DEVELOPER: That person, firm or corporation by whom a tract will be subdivided and/or improved pursuant to the requirements of this Chapter.

DEVELOPMENT: The act of changing as well as the state of a lot or combination of lots after the function of the tract of land has been purposefully changed by man including, but not limited to, structures on the land and alterations to the land.

DISTRICT: A part or parts of the City of Woodson Terrace for which the Zoning Ordinance establishes uniform regulations governing the development and use of land therein.

DRY CLEANING AND LAUNDRY PICK-UP: An establishment or business maintained for the pick-up and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

DRY CLEANING PLANT: An establishment intended to be used for cleaning fabrics, textiles, apparel, or articles of any sort by immersion and agitation in volatile solvents and the processes incidental thereto.

DWELLING: Any building or portion thereof used exclusively for human habitation, except hotels, motels, dormitories, house trailers, or boarding houses. The term “single family dwelling” as used in this Zoning Ordinance shall include any residential home, foster care home, or any similar home or residence as required by state law. The following terms associated with dwelling shall have the following meanings:

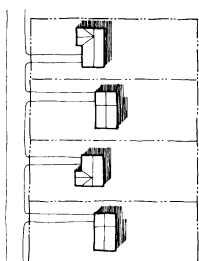
1. *Apartment:* room or suite of rooms within a building arranged, intended or designed for a place of residence of a single family or a group of individuals living together as a single housekeeping unit.
2. *Loft:* A dwelling located above the first floor of a non-residential use such as a store or office.

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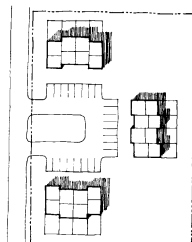
3. *Single-Family Attached Dwelling (Duplex):* A dwelling situated on one lot occupied exclusively by two families, respectively, in separate dwelling units living independently of each other.
4. *Townhouse:* A group of three (3) or more dwellings situated on one lot occupied by families in separate dwelling units living independently of each other.
5. *Single-Family Attached Dwelling (Villa):* Single family dwellings sharing a common wall but situated on separate lots each with a private exterior entrance designed to be occupied exclusively by separate families with no other dwelling unit located above or below another.

SINGLE-FAMILY DETACHED DWELLING. A dwelling situated on one lot designed to be occupied exclusively by one family.

The following illustrations are intended to demonstrate some of the above terms.



DWELLING, SINGLE-FAMILY DETACHED



DWELLING, TOWNHOUSE



EASEMENT: A grant by a property owner to the public, a corporation, or a person(s) of the use of a described area of land for specified purposes, where fee simple title to the land remains with the property owner.

ENGINEER: A professional engineer registered in the State of Missouri.

FARMERS MARKET: The offering for sale of fresh agricultural products directly to the consumer at an open air market designated and approved by the City as a Seasonal or Temporary Use.

FAMILY: One (1) or more persons who are related by blood, marriage, or adoption (including foster care), living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than three (3) persons living together by joint agreement occupying a single housekeeping unit with single kitchen facilities, on a non-profit cost-sharing basis, subject to any exceptions as may be required by law.

FENCE, SIGHTPROOF: A fence with an opaque value of seventy percent (70%) or greater.

FENCE: A barrier constructed or man-made or natural materials, intended to maintain privacy and/or to prevent intrusion upon the property.

FENCE, SHARP POINTED: A barbed fence, a fence with spikes, other sharp points or a razor blade fence.

FENCE, WIRE: A fence whose principal material is wire. This includes, but is not limited to, chain link.

FINANCIAL SERVICES: An office establishment or business that primarily performs central banking functions and accepts deposits and lends funds from these deposits. Such establishment may include these services to patrons and customers through an accessory, drive-through, when permitted pursuant to Section 400.420. Uses include banks; savings associations; savings and loan institutions; investment banking;

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brokerage for securities or commodities; credit reporting services; certified financial planning; accounting; auditing; bookkeeping; credit service offices, including credit unions; holding and investment services; savings and loans association offices; and consumer and mercantile credit reporting services. Financial Services does not include pawn shops, businesses primarily engaged in check cashing or issuing money orders or title loan establishments or other businesses offering short-term consumer loans secured by personal property, certificates of title to such property estimated tax refunds or other such collateral (all of which are prohibited money changing/money brokering uses). (See also "payday loan establishments".)

FLEA MARKET: Shall mean any person or aggregation, congregation or assembly of vendors, whether professional or nonprofessional, that offers for sale, trade or barter any goods permitted by law, regardless whether they are new, used, antique or handmade; and where offered for sale in open air areas, buildings or temporary structures.

FLOOR AREA: Shall mean the gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

FOOD/BAKERY PRODUCT MANUFACTURING: A use engaged in the manufacture of food and food products, including non-retail bakeries, canning facilities and creameries.

FOOD TRUCK: A food truck is a mobile, fully self-contained unit with valid State of Missouri registration that sells only food and/or beverages (non-alcoholic) and that utilizes no outside cooking area. Mobile food vendors which stop for less than or equal to 30 minutes at a single location shall not be considered Food Trucks.

FRONTAGE: The length of the front lot line of a lot abutting a street measured along the dividing line between the property and the street.

FUNERAL HOME: An establishment engaged in preparing the human deceased for burial or cremation and arranging and managing funerals.

FURNITURE, APPLIANCE, OR EQUIPMENT SALES: An establishment offering furniture, appliance, television, stereo and/or other electronic equipment and other household items for sale.

GARAGE, PRIVATE: An accessory building with capacity for not more than two (2) motor vehicles for storage only, provided however, a private garage may exceed a two (2) vehicle capacity if the lot whereon such garage is located contains not less than three thousand (3,000) square feet for each vehicle stored, and provided that such garage shall not exceed twelve (12) feet in height or occupy more than thirty percent (30%) of the required rear yard and meet all other requirements of this Chapter.

GARAGE, STORAGE: A building, or portion thereof, designed or used exclusively for term storage of motor-driven or motor vehicles, as distinguished from daily storage; and at which gasoline, motor fuels, and oils are not sold and motor-driven or motor vehicles are not serviced, equipped, repaired, hired or sold.

GOLF, MINIATURE: A commercial recreation facility resembling golf but containing short "holes", the majority of which are less than three hundred (300) feet in length, and primarily utilizing putting irons.

GRADE: The average level of the finished surface of the ground that meets the exterior walls of a building.

GREENHOUSE, PLANT NURSERY & GARDEN SUPPLY: An establishment where flowers, trees, and other products that are commonly used as landscaping in and around buildings are grown and sold.

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HEALTH CLUB: An establishment or place of business conducted indoors where members and guests may exercise on equipment and within facilities provided for a fee.

HOME OCCUPATION: An accessory use to a single-family residence where a business activity is carried on by no more than two (2) members of a family residing on the premises and providing that, except as otherwise provided by law, there are no signs or any display that will indicate from the exterior of the building that it is being utilized, in whole or in part, for any purpose other than that of a dwelling; providing also, that there is no stock in trade or commodity sold upon the premises, no person is employed other than a member of the family residing on the premises, and no mechanical equipment is used except such as is customary for purely domestic or household purposes.

HOSPITAL: An institution providing medical and surgical care for both inpatients and outpatients and including medical service, training, and research facilities.

HOTEL: A place where sleeping accommodations are provided for pay or compensation by transient guests for periods of not more than 28 consecutive days; and having more than twelve (12) bedrooms which are furnished, used and maintained for the accommodation of such guests.

HOTEL, EXTENDED STAY: A commercial land use regularly providing shelter in a building or portion thereof in which access is provided through a common entrance, lobby or hallway and which contains six (6) or more guest rooms. Occupants may stay for periods of twenty-eight (28) or fewer days or longer than twenty-eight (28) days subject to payment of a transient occupancy tax (TOT) as determined and established by the governing body at the time of development review. An extended stay hotel is an operating business that is intended for individuals who may need to stay for twenty-eight (28) days or more, but intend their occupancy to be temporary- that is- they shall maintain a permanent place of residence elsewhere.

INDUSTRIAL USE, HEAVY: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Such uses include asphalt plants; oil and gas production; manufacture of cement, lime, gypsum and plaster of paris, chemicals and allied products, fabricated metal products, rubber and plastics products, stone, clay, glass and concrete products, and transportation equipment.

INDUSTRIAL USE, LIGHT: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental indoor storage, sales and distribution, of such products, but excluding basic industrial processing as described in the definition of "Heavy Industrial Use".

INFILL DEVELOPMENT: Construction on an existing vacant lot on an existing street in an existing neighborhood or developed area. Infill development shall also include lots where more than 50% of the primary structure is altered.

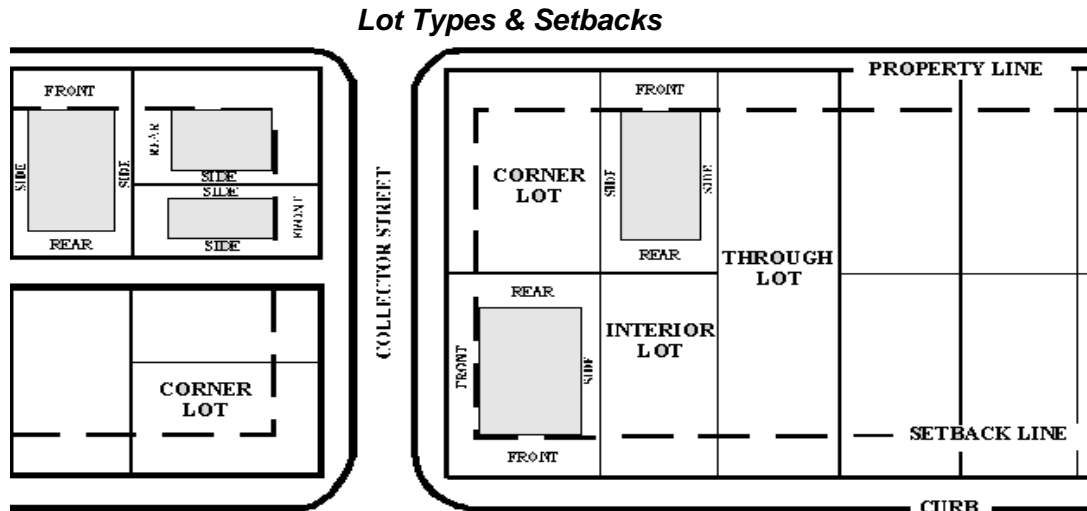
INSTITUTION: A building occupied by a non-profit corporation or a non-profit establishment for public use.

JUNK YARD: A parcel of land on which waste material and/or inoperative vehicles and other machinery are collected, salvaged, or sold.

Woodson Terrace Zoning Code

KENNEL (DOG DAYCARE): The use of land or buildings for the purpose of selling, breeding, boarding, or training dogs or cats or both, or the keeping of three (3) or more dogs or cats over two (2) months of age.

LOT: A platted parcel of land intended to be separately owned, developed, leased or otherwise used.



LOT AREA: The total horizontal area within the boundaries of a lot.

LOT COVERAGE: The area of a zoning lot occupied by the principal structure or structures and accessory buildings.

LOT DEPTH: The average horizontal distance from the front lot line to the rear lot line.

LOT LINES (PROPERTY LINES): The lines bounding a lot as defined below.

1. **Front:** The boundary between a lot and the street on which it fronts. (For clarification of the front lot line location, see the illustration above.)
2. **Rear:** Any lot line that is not a front lot line or a side lot line. (For clarification of the rear lot line location, see the illustration above.)
3. **Side:** Any lot line connecting a front and rear lot line. (For clarification of the side lot line location, see the illustration above.)

LOT (PARCEL) OF RECORD: A lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of St. Louis County; or a parcel of land which was legally approved and the deed recorded in the office of the Recorder of Deeds of St. Louis County prior to the adoption of this Chapter. A deed of trust is not to be considered a deed by the terms of this definition.

LOT WIDTH: The average horizontal distance between the side lot lines.

MANUFACTURED HOME: A structure which bears a seal indicating compliance with the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. 5401, and constructed on or after June 15, 1976. The following illustration is intended to demonstrate a typical manufactured home.

Woodson Terrace Zoning Code

Manufactured Home



Residential Character:

*Covered Entry
Window Elements
Horizontal Lap Siding*

Architectural Details:

*Front Porch
Permanent Masonry
Foundation*

Manufactured Home Features:

*Landscaping
Factory Built
Pitched Roof*

MASSAGE PARLOR: An establishment that is not licensed by the State of Missouri as a Massage Therapy establishment and that provides baths and body massages or either of them. Nothing herein contained shall apply to a licensed Massage Therapist or an establishment where Massage Therapy is practiced, including an accredited college, certified to operate in Missouri by the Coordinating Board of Higher Education, from offering a Massage Therapy course of study in which its students and employees may give body massages as a required part of college's curriculum or State requirement, provided that the percentage of students taking the course is not more than thirty-three percent (33%) of the entire enrollment of the college. A Massage Parlor shall also include the term "Bath House."

MASSAGE THERAPY ESTABLISHMENT: An establishment licensed by the State of Missouri that offers therapeutic massage as defined in Chapter 329, RSMo, as amended. The definition does not include establishments that offer illicit sexual services under the guise of therapeutic massage, see Massage Parlor.

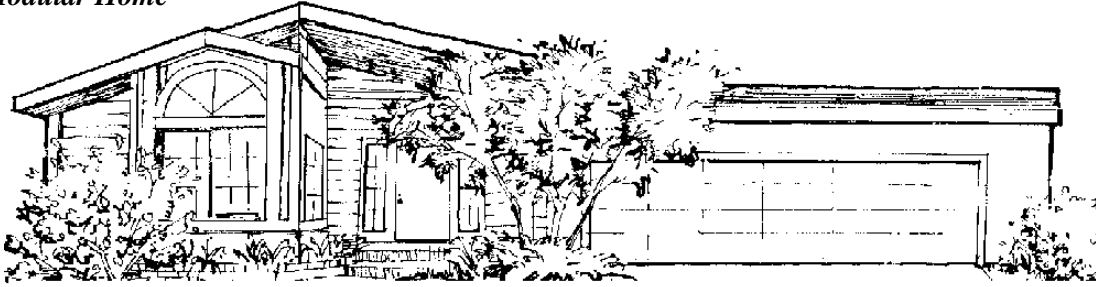
MINI-WAREHOUSE (SELF-STORAGE): A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

MOBILE HOME: A transportable, factory-built structure designed to be used as a single dwelling unit that was manufactured prior to June 15, 1976 and that does not bear a seal as provided by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401).

MODULAR HOME: A manufactured residential structure built to a nationally-recognized and accepted construction standard published by the Building Officials & Code Administrators International, Inc. (BOCA) or the International Conference of Building Officials (ICBO) and the unit is inspected and certified at the factory that it meets said standard. A modular home shall have exterior structure materials and appearance similar to the customary single-family structures and shall be permanently situated on a concrete foundation. The following illustration is intended to demonstrate a typical modular home.

Woodson Terrace Zoning Code

Modular Home



Residential Character:

*Pitched Roof
Covered Entry
Enclosed Garage*

Architectural Details:

*Eave Projection
Varying Depths
Ornamental Windows*

Permanent Features:

*Walkway and Stairs
Formal Landscaping
Footings & Foundation*

NIGHT CLUB, DANCE HALL OR PRIVATE CLUB: A business or establishment that offers for its patrons dancing accommodations exceeding 20% of the total floor area of the establishment. Uses shall include nightclubs, private clubs or other uses offering dancing accommodations for patrons of any age. The facility shall be duly approved and licensed as required by applicable state and local regulations.

NON-CONFORMING LAND USE OR STRUCTURE: A land use or structure which existed lawfully on the date this Zoning Ordinance or any amendment thereto became effective and which fails to conform to one (1) or more of the applicable regulations in the Zoning Ordinance or amendment thereto.

NON-CONFORMING LOT: A lot of record that existed lawfully whether by variance or otherwise, on the effective date of the adoption of this Chapter or any amendment thereto, but because of such adoption or amendment of this chapter fails to conform to the applicable area, width, depth or other regulations related to lot dimension of this Chapter as amended.

NUISANCE: An unreasonable interference with the enjoyment or use of property.

NURSING HOME: A building intended for use as a medical care facility for persons who need nursing care and medical service but do not require intensive hospital care. Includes assisted living and convalescent care facilities.

OFFICE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

OPEN SPACE, PUBLIC: Land which may be dedicated or reserved for acquisition for general use by the public, including parks, recreational areas, school sites, community or public building sites, and other public lands.

OPEN STORAGE: Storage of material or goods on the ground outside of a building.

OUTDOOR DISPLAY AREA: A portion of a property outside of any building where merchandise, goods or other items are placed in public view for the purpose of direct sale or lease to customers.

OVERLAY DISTRICT: Overlay districts are special zones placed “on top” of existing zoning districts for the purpose of providing relief from the underlying zoning district requirements for a specific area to help

Woodson Terrace Zoning Code

spur revitalization.

PARK: An area open to the general public and reserved for recreational, educational, or scenic purposes.

PARKING LOT, PRINCIPAL USE: A tract of land used for the temporary parking (one (1) day or less) of motor vehicles as a principal use and which is available for public use whether free, for compensation, or as an accommodation for clients or customers. Unless otherwise permitted by law, parking lots shall not be permitted as a principal use in the City of Woodson Terrace.

PARKING LOT- ACCESSORY USE: A tract of land used for the temporary parking (one (1) day or less) of motor vehicles as an accessory use. Accessory parking lots shall be limited to storing only the vehicles associated with the principal use they serve, unless a joint (shared) parking agreement is approved by the Board pursuant to Section 400.300 B. Parking lots must be paved with asphaltic concrete, Portland cement concrete or other approved material.

PARKING SPACE: An area surfaced with asphaltic concrete, Portland cement concrete or other approved material, properly graded for drainage, usable and accessible for vehicle storage, enclosed in a main building, in an accessory building, or unenclosed and located on the same lot as the building or use it is intended to serve. The space shall be large enough to accommodate one (1) motor vehicle (nine (9) feet wide by nineteen (19) feet deep). The overnight storage of a vehicle(s) in a non-residential district shall require a permit and fee as determined by the Board of Aldermen for any use that would not customarily require the overnight storage of a vehicle.

PAWNBROKER OR PAWNSHOP: An establishment or individual or business entity which lends money on the deposit or pledge of physically delivered personal property, other than property the ownership of which is subject to a legal dispute, securities, printed evidence of indebtedness or printed evidence of ownership of the personal property, or who deals in the purchase of such property on the condition of selling the property back again at a stipulated price. The business of a pawnbroker does not include the lending of money on deposit or pledge of title to property.

PAYDAY LOAN ESTABLISHMENT: An establishment that engages in transactions in which a short-term cash advance is made to a consumer in exchange for a customer's post-dated check in the amount of the advance plus a fee, or in exchange for a consumer's authorization to debit a transaction account in the amount of the advance plus a fee at a designated future date. Uses include check cashing stores. The classification does not include a state or federally chartered bank, savings association, credit union, or industrial land company. Further, this classification does not include establishments selling consumer goods where the cashing of checks or money orders is incidental to the main purpose of the business.

PEDESTRIAN WAY: An easement or right-of-way dedicated to public use to facilitate pedestrian access to adjacent streets and properties.

PERMITTED BY RIGHT: Uses which are listed in each zoning district under the title "Permitted Land Uses and Developments".

PLANNED DEVELOPMENT: A permissive, voluntary, and alternate zoning procedure designed to permit flexibility in building types and relationships between buildings. In any district, a tract of land may be developed for any of that district's permitted or conditional uses provided that approval is obtained by securing a planned development permit in compliance with the procedure delineated for the Planning Overlay Districts. In the case of planned developments within the "R" Residence District, the total number of dwelling units in the planned development shall not exceed the total number permitted under the regulations of the residence district or districts within which the planned development lies; excluding,

Woodson Terrace Zoning Code

therefrom, the area used for streets. Height, lot area, lot dimensions, yard, off-street parking, off-street loading, and sign requirements shall be limited by the conditions in the ordinance authorizing the establishment of the particular planned development.

PLANNING COMMISSION REPRESENTATIVE: An official designated as such by the Planning and Zoning Commission of Woodson Terrace, Missouri, for matters pertaining to the subdivision of land. Unless stated otherwise, this representative will be the Director of Economic Development of Woodson Terrace, MO.

PLAT (RECORD): A subdivision of land legally approved and recorded.

PROPERTY LINE: The legally recorded boundary of a lot, tract, or other parcel of land.

PUBLIC SERVICE FACILITY: A use owned or operated by a publicly owned or publicly licensed or franchised agency which provides essential public services such as utility, emergency, and safety services, including filtration plants, pump stations, sewage treatment plants, police and fire stations, post offices, government administration buildings or other governmental uses. Wireless communication facilities as defined herein are not included in this definition.

PUBLIC SERVICE FACILITY, LOCAL: A public facility owned and operated by Woodson Terrace.

RECREATIONAL VEHICLE: A vehicle used for purposes of recreation and amusement, including a portable vehicular structure without a permanent foundation that can be towed, hauled or driven and is primarily designed as a temporary living accommodation for recreational, camping and travel use. The definition includes, but is not limited to, motorcycles, mopeds, scooters, travel trailers, truck campers, camping trailers, boats, personal watercraft, snow mobiles, go-carts, tent trailers, fifth-wheel trailers, and self-propelled motor homes. Recreational vehicle does not include manufactured home or mobile home.

RECREATION FACILITY, COMMERCIAL: A commercial establishment or place of business primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators. Recreation facility as defined here does not include any "adult uses." It shall include golf driving ranges, miniature golf, batting cages, billiards hall, bowling alley, arcade, skating rinks, swimming pools, indoor shooting ranges or archery ranges operated as a commercial or for-profit endeavor for recreational use of its patrons.

REPAIR SERVICES: An establishment primarily engaged in specialized repair services such as appliance repair, jewelry repair, bicycle repair, furniture repair or reupholstering services, leather goods repair (including shoe), lawn mower and lawn equipment repair, lock and gun repair, musical instrument repair, and radio, stereo, DVD, TV, or repair of other electronic devices where the repairs primarily take place at the business establishment. This use does not include "automotive repair shops". Repairs and all associated materials shall be performed inside a fully enclosed building. Storage of goods shall be inside a fully screened enclosure.

RESIDENCE: Any building, or portion thereof, which is designed or used exclusively for residential purposes, except hotels, motels, dormitories and boarding houses.

RESTAURANT, GENERAL: An establishment where the sale of foods prepared for consumption on the premises represents the major source of income for the establishment.

RESTAURANT, FAST FOOD: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carryout, and where either: Foods, frozen desserts, or beverages are usually served in edible

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containers or in paper, plastic, or other disposable containers, and where customers are not served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed; or the establishment includes a drive-up or drive-through service facility or offers curb service.

RESALE (CONSIGNMENT) SHOP: A retail establishment that may include the sale of used merchandise and may accept donations or goods on consignment. A conditional use permit shall be required for shops greater than 5,000 square feet (including storage areas). The definition does not include businesses that sell primarily antiques and/or artwork.

RETAIL SALES & SERVICES: Refers to the sale of commodities and services directly to customers, when such commodities and services are used or consumed by the customer elsewhere than on the premises and not purchased primarily for the purpose of resale.

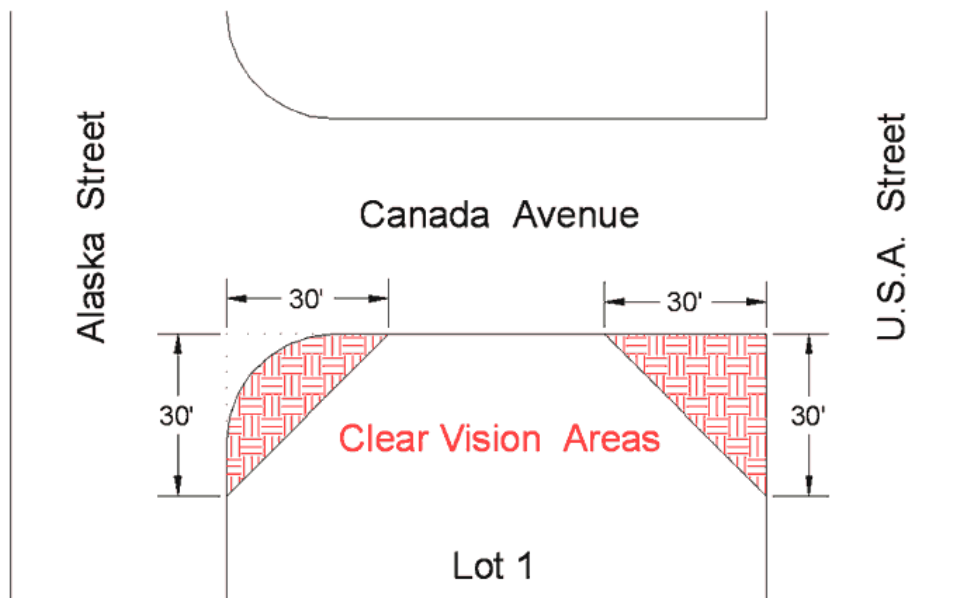
ROADWAY WIDTH OR SURFACE WIDTH: That portion of any street between the curbs which is designated for vehicular traffic.

SEMI-FINISHED MATERIAL: Material which has gone through one (1) or more stages of processing.

SETBACK: The average horizontal distance between the building line and the related lot lines.

SIGHT DISTANCE TRIANGLE: The triangular area of a corner lot bound by the property lines and a line connecting the two (2) points on the property lines thirty (30) feet from the intersection of the property lines in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision, also known as “clear vision areas”.

Sight Distance Triangle



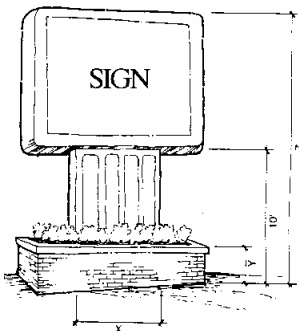
Source: <http://www.muni.org/Departments/OCPD/Planning/zoning/Pages/ClearVision.aspx>

SIGN: A name, identification, description, display, or illustration which is affixed to, or points out, a building, structure, or tract of land, and which directs attention to an object, product, place, person, service, activity, institution, organization or business. The following is a list of common signs types. The

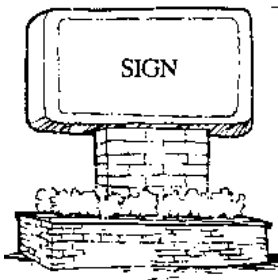
Woodson Terrace Zoning Code

accompanying illustrations are intended to demonstrate some of the characteristics of the defined signs.

1. **AWNING, CANOPY OR MARQUEE SIGN:** A sign that is mounted on, painted on, or attached to, an awning, canopy or marquee. No such signs shall project above, below or beyond the awning, canopy or marquee.
2. **BUSINESS SIGN:** A sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.
3. **CONSTRUCTION SIGNS:** A temporary sign providing information about a future development or current construction on a site and the parties involved in the project. Construction signs shall only be permitted during the construction period and only on the premises on which the construction is taking place.
4. **ELECTRONIC MESSAGE DISPLAY:** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Such displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity.



Elevated Sign

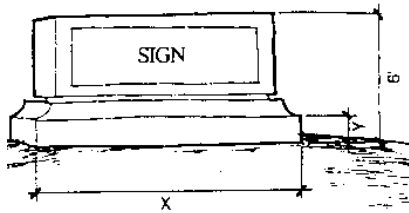


Ground Sign

5. **ELEVATED SIGN:** Any sign placed upon, or supported by, the ground independent of the principal structure on the property where the bottom edge of the sign is ten feet or more above the ground level. ($X = 1/2$ of the sign face, $Y = 1/4$ of width of base, $Z = 35'$ above the base elevation. Bottom of sign shall be at least 10' above the ground elevation).
6. **ELEVATED/PROJECTING ROOF SIGN:** A sign totally supported on the roof of a structure, not including flush-mounted logo roof signs. Elevated/projecting roof signs shall not project more than 12 inches beyond the face of the structure. In no case shall an elevated/projecting roof sign project more than 10 feet beyond the highest point of the roof on which the sign is located.
7. **GROUND SIGN:** Any sign placed upon, or supported by, the ground independent of the principal structure on the property, where the bottom edge of the sign is less than six feet above the ground, and the base is no less than 50 percent of the width of the face of the sign, presenting a monolithic structure. The maximum height shall be no more than ten (10) feet. If the base of the sign is less than five (5) feet, no planter is required.
8. **IDENTIFICATION SIGN:** A sign giving the name and address of a structure, business, development or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol.

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9. *ILLUMINATED SIGN.* Any sign designed to internally give forth artificial light or designed to reflect light from one (1) or more exterior sources of artificial light erected for the sole purpose of illuminating the sign.

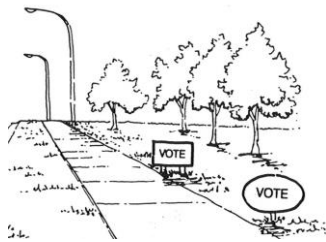


Monument Sign

10. *INDIRECTLY ILLUMINATED SIGN.* A sign which does not produce artificial light from within itself but which is illuminated by spotlights, floodlights, or other artificial light source(s) not a part of the sign itself.

11. *INFORMATION SIGN.* A sign which identifies a non-commercial or institutional activity such as historic markers, school activity signs, or church bulletin boards.

12. *INTERNALLY ILLUMINATED SIGN.* A sign so designed that its source of artificial light is contained within itself and said source is not directly visible when in normal operation.



Political Election Sign

13. *MECHANICAL SIGN.* A sign that contains moving parts, creates the effect or illusion of having any moving parts, or has flashing or intermittent lighting.

14. *MONUMENT SIGN:* Any sign whose base is greater in width than the face of the sign, and whose height is no greater than 6 feet. (X = 110% of the width of the sign face, Y = 10% of the sign face.)

15. *NAME PLATE SIGN:* A sign giving the name and/or address of the owner or occupant of a structure or premises on which it is located and, where applicable, a professional status

16. *OFF-PREMISE SIGN (BILLBOARD).* A sign which contains a message unrelated to a premises or profession or to a commodity, service or entertainment sold or offered upon the premises where such sign is located, excluding political signs.



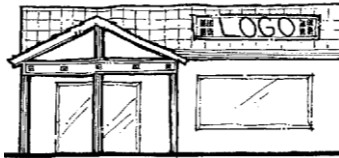
Portable Sign

17. *POLITICAL ELECTION SIGN:* Any sign relating to a candidate, political party, ballot issue, or other issue to be voted upon in any public election. Political signs shall not be paced in the right of way.

18. *PORTABLE DISPLAY SIGN:* Any movable display structure, capable of relocation, under its own power, or towed by a motor vehicle. The display message of the sign may be painted or non-painted and capable of being readily altered. Portable display signs may be with or without electrical illumination and power, and with or without wheels.

Woodson Terrace Zoning Code

19. *PROJECTING SIGN*: A sign that is wholly or partly dependent upon a structure for support and which projects more than 12 inches from such structure.



Flush-Mounted Logo Roof Sign

20. *REAL ESTATE SIGN*: A temporary sign pertaining to the sale or lease of a lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof on which the sign is located.

21. *ROOF SIGN - FLUSH-MOUNTED, LOGO*: A sign totally supported on the roof of a structure that displays the logo of the tenant of such structure. Flush-mounted logo roof signs shall be mounted parallel to and flush with the roof's surface. In no case shall a flush-mounted logo roof sign project above the highest point of the roof (compare to "elevated/projecting roof sign").

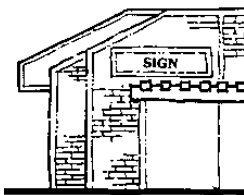


Temporary Sign

22. *TEMPORARY SIGN*: A sign not constructed or intended for long term use.

23. *WALL SIGN*: A sign fastened to or painted on a wall of a structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than 12 inches from such structure.

24. *WINDOW SIGN*: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. (Limited to 20% of the total window glass area.)



Wall Sign

OUTLINE AREA. The area enclosed by the perimeter of the face of a sign, but not including structure supports.

SIGN AREA. The area of a sign shall include the space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. The perimeter shall not include any structural or framing elements lying outside the perimeter and not an integral part of the sign.

SIGN HEIGHT. The vertical distance measured from either the ground elevation of the structure supporting the sign or the upper surface of the nearest curb or edge of a street, whichever is lower, to the highest point of a sign.

Woodson Terrace Zoning Code

STORY: That portion of a building included between the surface of a floor and the upper surface of the floor or roof above it.

STORY, HALF: A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the top floor level of such story.

STREET: A general term denoting a public or private thoroughfare which affords the principal means of access to abutting property. The term includes all facilities which normally occur within the right-of-way. It shall also include such other designations as highway, thoroughfare, parkway, throughway, road, pike, avenue, boulevard, lane, place, and court, but shall not include an alley or a pedestrian way.

STRUCTURAL ALTERATION: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

STRUCTURE: See “building”.

SUBDIVISION, MINOR: A tract of land consisting of five (5) acres or less of land and proposed for subdivision or resubdivision into two (2) or less tracks.

SUBSTANTIAL CONSTRUCTION, DEVELOPMENT, OR WORK:

1. In a project involving structures, the completion of excavation for footings and foundations.
2. In a project involving no structure or insignificant structures, the completion of grading.

THEATRES: An establishment or place of business where movies are shown and other

THEATER: A building or premises devoted to showing motion pictures, or for live dramatic or musical performances. Terms associated with theater shall be defined as follows:

1. *DRIVE-IN MOTION PICTURE THEATER*. An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or other prerecorded productions to patrons seated in automobiles.
2. *MOTION PICTURE THEATER*. A building primarily used for the exhibition of movies or other prerecorded productions to the general public in an indoor setting.
3. *PERFORMING ARTS THEATER*. A building primarily used for the presentation of live performances of plays or music.

TITLE LOAN ESTABLISHMENT: Any person, entity or business that lends money to a borrower and in exchange retains physical possession of the state-issued certificate of title to the personal property of the borrower.

TRACT: An area or parcel of land which the developers intend to subdivide and/or improve, or to cause to be subdivided and/or improved pursuant to the requirements of this Chapter.

USE: As utilized herein, use is any functional, social, or economic or technological activity which is imposed or applied to land or to structures on the land.

VARIANCE: A modification or variation of the provisions of this Chapter as applied to a specific piece of property and approved by the Board of Adjustment.

Woodson Terrace Zoning Code

VETERINARY CLINIC: A facility for the practice of veterinary medicine.

WAREHOUSE: A structure for use as a storage place for goods, material, or merchandise.

YARD: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT: A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps, uncovered balconies, or unenclosed porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, REAR: A required yard extending across the full width of the lot at the opposite end of the lot from the front yard, and measured between the rear line of the lot and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies, unenclosed porches, patios, or terraces. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, SIDE: A required yard between the nearest point of the building and the side lines of the lot and extending from the front lot line to the rear lot line. (Ord. No. 728 Art. I §Z-3, 5-16-74; Extra Sheet Revision, Page 1)

Woodson Terrace Zoning Code

ARTICLE II. DISTRICT REGULATIONS

SECTION 400.80: GENERAL PROVISIONS

Unless otherwise stated, the regulations hereafter established shall apply within all districts by this ordinance or by amendment thereto. These general regulations supplement and qualify the district regulations appearing elsewhere in this Chapter. (Ord. No. 728 Art. I §Z-14, 5-16-74)

SECTION 400.90: ESTABLISHMENT OF DISTRICTS AND ZONING MAP

In order to classify and regulate the location of businesses, trades, industries, residences and other land uses and the location of buildings designed for specific uses; to regulate and limit the height and bulk of buildings hereafter erected, reconstructed or altered; to regulate and limit the intensity of the use of lot areas; and to regulate and determine the area of yards, courts and other open spaces within and surrounding such buildings; the City of Woodson Terrace is hereby divided into the following districts:

Use Class	Zoning District Classifications	Code Designation
Residential	"R-1" Residential District	"R-1"
	"R-2" Two-Family District	"R-2"
	"R-3" Multi-Family District	"R-3"
Commercial	*"C-1" Neighborhood Commercial District	"C-1"
	"C-2" Highway Commercial District	"C-2"
	"C-3" Shopping, Service & Office Commercial District	"C-3"
	*"C-4" Retail Commercial District	"C-4"
Industrial	"I" Industrial	"I"
Mixed Use	"GO" Gateway Overlay	"GO"
	"TCO" Town Center Overlay	"TCO"

** No additional property shall be rezoned to these districts- District regulations have been provided for existing uses within these districts legally in effect on the date of adoption of this Code.*

The boundaries of these districts are hereby established as shown on the "Woodson Terrace Zoning Map" which shall bear the date of adoption of this Chapter and its number, the signature of the City Clerk, and the Seal of the City. Said map is incorporated herein as a part of this Chapter. All district classifications, however, need not appear on the Zoning Map at one time. Said map, with all subsequent amendments thereto, supersedes all prior Zoning Maps of the City. Official copies of said map shall be maintained in the office of the Director of Economic Development and shall be public record. All subsequent amendments to the Zoning Map shall be designated on said official copies by date of adoption and number of the amending ordinance. The Director of Economic Development may, at his/her discretion, cause the "Woodson Terrace Zoning Map" and its official copies thereof to be reproduced. Said maps, when so reproduced, shall be deemed to be an original record for all purposes. (Ord. No. 728 Art. I §Z-4, 5-16-74; Ord. No. 781 §1, 11-6-75; Ord. No. 1094 §1, 10-17-85)

SECTION 400.100: INTERPRETATION AND EXTENSION OF DISTRICT BOUNDARIES

- A. Any area within the geographical boundaries of Woodson Terrace, Missouri, which is added to or becomes a part of the City, shall retain the zoning classification it had prior to the annexation; provided that the City Director of Economic Development shall, within 60 days of the effective date of such

Woodson Terrace Zoning Code

annexation, initiate a review and rezoning of said property under the provisions of this Zoning Ordinance.

- B. Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:
1. The district boundaries are the centerlines of streets and/or alleys unless otherwise shown. Where the districts designated on the Zoning Map are bounded approximately by the centerline of a street and/or alley, such centerline shall be construed to be the boundary of such district.
 2. Where the district boundaries are not otherwise indicated or when the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines; and where the districts designated on the Zoning Map are bounded approximately by lot lines, such lot lines shall be construed to be the boundary of such district unless the boundaries are otherwise indicated on the map.
- C. Whenever any street, alley or other public way is vacated by the Board of Aldermen of the City of Woodson Terrace, Missouri, the St. Louis County Council, or the State of Missouri, the zoning districts adjoining on each side of such street, alley, or public way shall automatically be extended to the centerline of such vacation and all area included in the vacation shall then be subject to all applicable regulations of the extended districts. (Ord. No. 728 Art. I §Z-5, 5-16-74)

SECTION 400.110: DISTRICT REGULATIONS

The use and redevelopment of land and structures within any zoning district are limited to those uses and developments set forth in those Sections of this Chapter applicable to such district; provided however, that a permitted use and development in any residential zoning district "R-1" shall include any new residential subdivision, the final plat of which has been approved in accordance with the terms and provisions of the City's subdivision regulations Ordinance Number 1690 set out in Chapter 405, and provided further that the regulations applicable to use and development of land and structures within such subdivisions shall be as set forth in the final plat, and to the extent they are in conflict with any of the regulations applicable in the "R-1" and "R-2" districts, the subdivision regulations shall govern and control. (Ord. No. 728 Art. I §Z-6, 5-16-74; Ord. No. 1465 §1, 9-10-98; Ord. No. 1691 §1, 2-15-07)

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SECTION 400.120: "R-1" RESIDENTIAL DISTRICT REGULATIONS

- A. *Purpose:* The "R-1" Residential District shall include single family homes on lots not less than 9,000 square feet in area. The purpose of the "R-1" Residence District regulations is to create and preserve the existing suburban character of the City's neighborhoods while allowing changes as needed to diversify and stabilize the City's housing stock.
- B. *Permitted Uses:* Single-family dwellings, parks, and related accessory uses are permitted. See Appendix A for a list of all the permitted uses in the "R-1" District.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter provided said uses are located on lots ½ acre or larger (1 acre for schools, institutions, nursing homes and retreats) and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"R-1" Single-Family Residence District Bulk Regulations		
Minimum Lot Area	Nine thousand (9,000) square feet	
Minimum Lot Width	Fifty (50) feet	
Yard/Setback	Front	Each lot upon which a dwelling is constructed shall have a front yard of not less than forty-two (42) feet, except the front yard setback may be reduced to thirty (30) feet for open porches. Bay windows may extend into the front setback provided they do not extend more than three (3) feet from the structure's foundation. When a lot has double frontage, the required front yard shall be provided on both streets.
	Side	On each lot upon which a dwelling is constructed, there shall be a side yard on each side of at least five (5) feet.
	Rear	Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than fifteen (15) feet or twenty percent (20%) of the lot depth, whichever is greater.
Maximum Height	No more than two and one-half (2.5) stories; up to thirty-five (35) feet measured from the average finished grade to the highest point of the roof.	

- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign Requirement:* Except as otherwise permitted by law, no signs shall be permitted on residential premises except building street numbers and name plate signs.

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SECTION 400.130: "R-2" TWO-FAMILY DISTRICT REGULATIONS

- A. *Purpose:* The purpose of "R-2" Two-Family District is to allow a variety of attached single family dwelling types and slightly higher single family dwelling densities than permitted in the "R-1" Residence Zoning District.
- B. *Permitted Uses:* Single-family attached dwellings, single-family detached dwellings, parks, and related accessory uses are permitted. See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter provided said uses are located on lots ½ acre or larger (1 acre for schools, institutions, nursing homes and retreats) and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"R-2" Single-Family Attached District Bulk Regulations		
<i>Minimum Lot Area</i>	Single family dwellings: 8,000 square feet Attached single family dwellings: 6,000 square feet	
<i>Minimum Lot Width</i>	Fifty (50) feet	
<i>Yard/Setback</i>	<i>Front</i>	Each lot upon which a dwelling is constructed shall have a front yard of not less than twenty (20) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	On each lot upon which a dwelling is constructed, there shall be a side yard on each side of at least ten (10) feet.
	<i>Rear</i>	Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than fifteen (15) feet or twenty percent (20%) of the lot depth, whichever is greater.
<i>Maximum Height</i>	No more than two and one-half (2.5) stories; up to thirty-five (35) feet measured from the average finished grade to the highest point of the roof.	

- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign Requirements:* Except as otherwise permitted by law, no signs shall be permitted on a residential premise except building street numbers and name plate signs.

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SECTION 400.140: "R-3" MULTI-FAMILY RESIDENCE DISTRICT REGULATIONS

- A. *Purpose:* The R-3 Multi-Family Residential District is intended to offer higher density residential housing not permitting in the "R-1" & "R-2" Residence Districts. This district provides for the development of apartments, condominiums and townhouses.
- B. *Permitted Uses:* Multifamily dwellings, single-family attached dwellings, single-family detached dwellings, parks, and related accessory uses are permitted. See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter provided said uses are located on lots ½ acre or larger (1 acre for schools, institutions, nursing homes and retreats) and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"R-3" Multifamily District Bulk Regulations							
<i>Minimum Lot Area</i>	Single Family Dwellings: 8,000 Square Feet Attached Single Family Dwellings: 6,000 Square Feet Multi-family dwellings: 2,000 Square Foot per dwelling unit.						
<i>Minimum Lot Width</i>	Fifty (50) feet						
<i>Maximum Lot Coverage</i>	Seventy-five percent (75%) of the lot area.						
<i>Yard/Setback</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px; text-align: center;"><i>Front</i></td> <td style="padding: 5px;">Each lot upon which a dwelling is constructed shall have a front yard of not less than twenty (20) feet. When a lot has double frontage, the required front yard shall be provided on both streets</td> </tr> <tr> <td style="padding: 5px; text-align: center;"><i>Side</i></td> <td style="padding: 5px;">On each lot upon which a dwelling is constructed, there shall be a side yard on each side of at least ten (10) feet.</td> </tr> <tr> <td style="padding: 5px; text-align: center;"><i>Rear</i></td> <td style="padding: 5px;">Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than fifteen (15) feet or twenty percent (20%) of the lot depth, whichever is greater.</td> </tr> </table>	<i>Front</i>	Each lot upon which a dwelling is constructed shall have a front yard of not less than twenty (20) feet. When a lot has double frontage, the required front yard shall be provided on both streets	<i>Side</i>	On each lot upon which a dwelling is constructed, there shall be a side yard on each side of at least ten (10) feet.	<i>Rear</i>	Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than fifteen (15) feet or twenty percent (20%) of the lot depth, whichever is greater.
<i>Front</i>	Each lot upon which a dwelling is constructed shall have a front yard of not less than twenty (20) feet. When a lot has double frontage, the required front yard shall be provided on both streets						
<i>Side</i>	On each lot upon which a dwelling is constructed, there shall be a side yard on each side of at least ten (10) feet.						
<i>Rear</i>	Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than fifteen (15) feet or twenty percent (20%) of the lot depth, whichever is greater.						
<i>Maximum Height</i>	No more than two and one-half (2.5) stories; up to thirty-five (35) feet measured from the average finished grade to the highest point of the roof.						

- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign and Lighting Requirements:* All signs and lighting shall comply with Article VI.

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SECTION 400.150: “C-1” NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS

- A. *Purpose:* As of the adoption of this Chapter, the "C-1" Neighborhood Commercial District is no longer a zoning district available for zoning classification of properties in the City other than such properties already zoned "C-1" Neighborhood Commercial District as of the date of adoption of this Code.. All preexisting "C-1" property shall, until or unless hereinafter rezoned, continue to be subject to the requirements of the "C-1" District regulations. After the effective date of this Code, no additional land shall be rezoned to the "C-1" District. Any proposed subdivisions, including lot splits, change of use, new construction or other alterations not permitted under the "C-1" district regulations shall require rezoning to an applicable zoning district. Use of property maintaining the "C-1" preexisting zoning shall be subject to all other regulations of this Code.
- B. *Permitted Uses:* The "C-1" District shall be open to all legal uses and related accessory uses on lots of record established prior to the date of adoption of this ordinance. For a general listing of permitted and conditionally permitted uses, see Appendix A.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter and subject to such other restrictions and conditions as deemed necessary.
- D. *Bulk Requirements:*

“C-1” Neighborhood Commercial District Bulk Regulations		
<i>Minimum Lot Area</i>	8,000 square feet	
<i>Minimum Lot Width</i>	Sixty (60) feet	
<i>Yard/Setback</i>	<i>Front</i>	Thirty (30) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	None, except when abutting a residential district a fifteen (15) foot well maintained landscaped side yard shall be required.
	<i>Rear</i>	None, except when abutting a residential district a fifteen (15) foot well maintained landscaped rear yard shall be required.
<i>Maximum Gross Floor Area</i>	No store or shop (retail use) shall exceed 2,500 square feet	
<i>Maximum Height</i>	No more than one story or fifteen (15) feet measured from the average finished grade to the highest point of the roof.	

- E. No merchandise shall be stored or displayed within any side, front or rear yard.
- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign and Lighting Requirements:* All signs and lighting shall comply with Article VI.

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SECTION 400.160: "C-2" HIGHWAY COMMERCIAL DISTRICT REGULATIONS

- A. *Purpose:* The "C-2" Highway Commercial District is intended for regional commercial uses located along major arterial roadways. Uses may include large scaled businesses and service establishments that cater to regional demands and attract traffic from out of the immediate trade area. Uses in this district should benefit from and be respectful of their highly visible locations by providing screening, landscaping and buffering any outdoor storage and other unsightly element from view of any right of way.
- B. *Permitted Uses:* See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"C-2" Highway Commercial District Bulk Regulations		
<i>Minimum Lot Area</i>	12,000 Square Feet	
<i>Minimum Lot Width</i>	Sixty (60) feet	
<i>Maximum Lot Coverage</i>	Eighty percent (80%) of the lot area.	
<i>Yard/Setback</i>	<i>Front</i>	Thirty (30) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped side yard shall be required.
	<i>Rear</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped rear yard shall be required.
<i>Maximum Height</i>	Fifty (50) feet measured from the average finished grade to the highest point of the roof.	

- F. No merchandise shall be stored or displayed within any side, front or rear yard.
- G. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- H. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- I. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- J. *Sign and Lighting Requirements:* All signs and lighting shall comply with Article VI.

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SECTION 400.170: "C-3" SHOPPING, SERVICE, AND OFFICE DISTRICT REGULATIONS

- A. *Purpose:* The "C-3" Shopping, Service and Office District is intended to provide convenient commercial services to the immediate neighborhood, as well as neighboring communities. Desired uses are those that serve the City of Woodson Terrace and surrounding communities day to day needs, yet attract outside transient market bases. The uses in this district include larger commercial uses, institutional, and residential lofts that are mixed both horizontally and vertically. Residential uses included in this district are not allowed on the ground floor of any building. The main focus of this district is to provide commercial development that is integrated into the community that is a lower traffic generator than a typical big-box store or regional retail development, but includes effective placement parking, bicycle, pedestrian and transit connections that allow walkable developments.
- B. *Permitted Uses:* See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"C-3" Shopping, Service & Office District Bulk Regulations		
<i>Minimum Lot Area</i>	12,000 Square Feet	
<i>Minimum Lot Width</i>	Sixty (60) feet	
<i>Maximum Lot Coverage</i>	Eighty percent (80%) of the lot area.	
<i>Yard/Setback</i>	<i>Front</i>	Thirty (30) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	Five (5) feet, except when abutting a residential district a fifteen (15) foot well maintained landscaped side yard shall be required.
	<i>Rear</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped rear yard shall be required.
<i>Maximum Height</i>	Fifty (50) feet measured from the average finished grade to the highest point of the roof.	

- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign and Lighting Requirements.* All signs and lighting shall comply with Article VI.

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SECTION 400.180: "C-4" RETAIL COMMERCIAL DISTRICT REGULATIONS

- A. *Purpose:* As of the adoption of this Chapter, the "C-4" Retail Commercial District is no longer a zoning district available for zoning classification of properties in the City other than such properties already zoned "C-4" Retail Commercial District as of the date of adoption of this Code. All preexisting "C-4" property shall, unless or until hereafter rezoned, continue to be subject to the requirements of the "C-4" District. After the effective date of this Code, no additional land shall be rezoned to the "C-4" District. Use of property maintaining the "C-4" preexisting zoning shall be subject to all other regulations of this Code.
- B. *Permitted Uses:* The "C-4" District shall be open to all legal uses and related accessory uses on lots of record established prior to the date of adoption of this ordinance. See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"C-4" Retail Commercial District Bulk Regulations		
<i>Minimum Lot Area</i>	20,000 Square Feet	
<i>Minimum Lot Width</i>	Sixty (60) feet	
<i>Yard/Setback</i>	<i>Front</i>	Thirty (30) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	Five (5) feet, except when abutting a residential district a fifteen (15) foot well maintained landscaped side yard shall be required.
	<i>Rear</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped rear yard shall be required.
<i>Maximum Height</i>	Fifty (50) feet measured from the average finished grade to the highest point of the roof.	

- F. No merchandise shall be stored or displayed within any side, front or rear yard.
- G. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- H. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- I. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- J. *Sign and Lighting Requirements.* All signs and lighting shall comply with Article VI.

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SECTION 400.190: "I" INDUSTRIAL DISTRICT REGULATIONS

- A. *Purpose:* The "I" Industrial District is intended to provide accessible industrial areas, uses not included in the mixed use or commercial districts, from major transportation facilities to achieve a satisfactory correlation of factors such as effective buffering from adjacent residential areas, low impact design and maintenance, efficient land assembly, adequate topographic conditions, and adequate provision of public utility facilities required by industry. It is the goal of these regulations to facilitate development and sustainability so that the production and distribution of goods and services can effectively compete regionally and nationally, yet integrate with commercial and residential areas of the city.
- B. *Permitted Uses:* See Appendix A for a list of permitted uses.
- C. *Conditional Uses:* The Board of Aldermen may authorize conditional use permits for uses listed as conditional uses in Appendix A pursuant to Section 400.420 of this Chapter and subject to such other restrictions and conditions as deemed necessary.
- D. *Planned Uses:* The Board of Aldermen may authorize relief from any of the requirements of this Chapter in accordance with the Planned Overlay District procedures contained in Section 400.200.
- E. *Bulk Requirements:*

"I" Industrial District Bulk Regulations		
<i>Minimum Lot Area</i>	12,000 Square Feet	
<i>Minimum Lot Frontage</i>	200 feet	
<i>Yard/Setback</i>	<i>Front</i>	Thirty (30) feet. When a lot has double frontage, the required front yard shall be provided on both streets
	<i>Side</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped side yard shall be required.
	<i>Rear</i>	Five (5) feet, except when abutting a residential district a twenty (20) foot well maintained landscaped rear yard shall be required.
<i>Maximum Lot Coverage</i>	No more than 25% of the lot shall be used for outdoor storage.	
<i>Maximum Height</i>	Forty (40) feet measured from the average finished grade to the highest point of the roof.	

- F. *Supplemental Regulations:* All development shall comply with the supplemental regulations provided in Article III of this Chapter.
- G. *Landscape Requirements:* Landscaping shall be provided in accordance with Section 400.290.
- H. *Off-Street Parking and Loading Requirements:* Off-street parking requirements shall conform to Section 400.300.
- I. *Sign and Lighting Requirements:* All signs and lighting shall comply with Article VI.

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SECTION 400.200: PLANNED OVERLAY DISTRICTS

- A. *Description:* Planned overlay districts are special zones placed “on top” of existing zoning districts available only for two (2) designated areas of the City (Gateway Overlay Area and Town Center Overlay Area). An overlay district provides relief from the underlying zoning district requirements for a specific area allowing greater flexibility for development that promotes the goals and objectives of the City’s Comprehensive Plan and complies with the procedures and requirements of this Section while also authorizing conditions that may be required to grant such flexibility. This allows the City to maintain the current zoning for properties, yet addresses the special needs of targeted areas when opportunities for redevelopment occur. Except as provided in the Planned Overlay District zoning approval, the requirements of the underlying zoning district classifications shall fully apply.
- B. *Purpose & Intent:* The purpose of the Overlay(s) is to promote improvements to the City’s underutilized or aging commercial corridors and residential areas. The intent of the City’s Planned Overlay Districts is to allow the development of land that is consistent with the City’s Comprehensive Plan and to promote the following development objectives:
- a) Allow flexibility in the development and redevelopment of the City’s core activity areas by allowing versatility in the City’s underlying district regulations.
 - b) Provide guidelines to establish an envisioned level of continuity between existing and proposed development and preserve the scale and character of buildings, homes and transportation network.
 - c) Promote development that is at the forefront of evolving development trends; including stormwater best management practices (BMP), bike and pedestrian accessibility and place making.
 - d) Advance the concepts of mixed-use development to achieve a blend of retail, commercial service, office and residential activities.
- C. *Planned Overlay- Boundaries:* The boundaries are shown on the City’s Official Zoning Map, they include:
- a) **Gateway Overlay:** The boundaries of the Gateway Overlay generally follow Natural Bridge Road from the east City limit to west City limit and extend south on Woodson Road to Aerospace Drive, including adjacent parcels along the main roadway corridors.
 - b) **Town Center Overlay:** The boundaries of the Town Center Overlay generally follow the Town Center District as shown on the Future Land Use Map in the City’s Comprehensive Plan. The area is located along Woodson Road from Aero Space to the southernmost City limits and includes, but is not limited, to all parcels adjacent to Woodson Road.
- D. *Permitted Uses:* Uses permitted by right or by conditional use in the underlying district may be permitted subject to the procedures and requirements of this Section. The Overlay Districts shall not authorize uses that are not permitted in the underlying zoning district. More than one underlying district may be utilized to permit a wider range/mix of uses.
- E. *When Required:* Any change to the development characteristics of an existing site or parcel(s) of land located within a designated overlay area, as depicted on the City’s Zoning Map, that includes any of the following shall require rezoning to the appropriate planned overlay / underlying zoning district(s).
- a) New construction of principal buildings;
 - b) Expansion or exterior reconstruction of existing buildings in excess of twenty percent (20%) of the existing floor area; or

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- c) A change in use which necessitates an increase in required parking of more than 10 parking spaces.

F. *Exceptions:* The following exceptions shall apply:

- a) New additions to legally existing structures provided no waivers or modification of any district or other regulation is needed.
- b) The change is not detrimental to the neighboring properties or community, does not materially alter or impact traffic, public improvements, or public financial burdens, and is otherwise consistent with all established City plans, policies and ordinances.

G. *Application Requirements:* The procedures for application, review and approval of a Planned Overlay District shall follow the procedures as set forth in Section 400.430 (Zoning Amendments) and include the following:

- a) A fully executed City petition form signed by the property owner(s).
- b) The legal description(s) of the property(s).
- c) A non-refundable petitioning fee of \$300.00.
- d) A preliminary site development plan measuring no more than 24" x 36" and bearing the seal and signature of a licensed professional engineer or architect. The site development plan shall include the following information:
 - 1. The number, type(s), use and height dimensions of all proposed buildings.
 - 2. Provisions for storm water control and drainage including pre and post development drainage maps (including contributory off-site drainage), detention and clean water facilities including preliminary capacity computations, storm water pollution prevention plan, and other information as required by MSD.
 - 3. A pre and post development grading plan with topographic intervals at no greater than two (2) feet and extending 100' beyond the perimeter of the subject site.
 - 4. The number of dwelling units contemplated.
 - 5. The total finished floor area by floor for all buildings.
 - 6. Parking areas, drive aisles and points of ingress/egress to adjoining roadways and sites
 - 7. Bicycle and Pedestrian access to buildings.
 - 8. Preliminary utility locations.
 - 9. A vicinity map drawn at a scale of not less than 1:1000 showing the location of the site.
 - 10. The out boundaries, bearings and dimensions of the property described in the legal description with respect to the adjacent parcels and rights-of-way.
 - 11. The locations and improvements of all streets and properties complete with dimensions and ownership information within 100' from the perimeter of the site.
 - 12. All areas proposed for landscape treatments or to remain undeveloped.
 - 13. A computation of the total land area in square feet and as a percentage of the entire site used for buildings, roadways, other pavements, recreation, landscape/green space and other major land uses.
 - 14. Locations of all vehicular service entrances, loading areas, refuse containers, ground mounted utilities, HVAC, etc.

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- e) Preliminary architectural elevation showing all sides of all buildings with dimensions, materials, colors, and architectural treatments.
 - f) Other information as may be reasonably necessary to understand the character, scope and impact of a development proposal.
- H. *Review Procedure:* The procedures for application, review and approval of a Planned Overlay District shall follow the procedures as set forth in Section 400.430 (rezoning), in addition to the following:
- a) The Planning and Zoning Commission shall conduct a public hearing pursuant to Section 400.440 and review the petition, including preliminary and final development plans, for consistency with the goals, policies and recommendations of the Comprehensive Plan, compliance with the appropriate overlay district and underlying district regulations and consider the comments from the petitioner's presentation, the public hearing, the petition review report and submit its findings to the Board of Aldermen in writing.
 - b) The Board of Aldermen shall conduct a public hearing pursuant to Section 400.440 and review the petition, preliminary development plans and recommendation of the Commission for compliance with this Chapter. The Board of Aldermen may approve, approve with conditions or deny the petition. All Planned Overlay Districts shall be approved by ordinance. The ordinance approving a Planned Overlay District is referred to herein as the "governing ordinance" and shall include the underlying district classification(s), permitted uses, building bulk, setback and density requirements and all other conditions or requirements as approved by the Board. The site development plan shall be attached to the approved governing ordinance establishing the Planned Overlay District rezoning.
 - c) After the Board of Aldermen approves, approves or approves with conditions, the petition and preliminary development plans, the petitioner may submit a final development plan pursuant to the procedures set forth in Section 400.410 (D).
 - d) No building permit shall be issued for any structure in a Planned Overlay District that does not conform to the final site development plan and governing ordinance as approved by the Board of Aldermen.
- I. *Waivers and Conditions:* The Board of Aldermen shall specify in the approving ordinance such authorizing waivers and conditions applicable to the overlay district as conforming to the purposes of the Planned Overlay District and the Code.
- J. *Guarantee of Improvements:* After approval of the final development plan, but prior to the issuance of any building permit or permit authorizing the use of the property in question, and except as may be otherwise provided in the Overlay District approving ordinance, the developer shall enter into an agreement with the City guaranteeing the completion of all public improvements in accordance with the City's minimum design standards and subdivision regulations
- K. *When Underlying Regulations Apply:* The governing ordinance shall specify site development regulations. Where the governing ordinance is silent on such matters, the underlying zoning district and development regulations shall control.
- L. *Amendments to Planned Overlay District Development Plans:*
- a) The property owner or authorized representative shall submit an amended development plan to the Director of Economic Development for review. The Director of Economic Development shall evaluate the request for consistency in purpose and content with the nature of the approved development plan and governing ordinance or the proposal as originally advertised for the public hearing for amendments, whichever shall apply.

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- b) If the Director of Economic Development determines that the proposed amendment to the development plan is not in conflict with the approved development plan and governing ordinance or proposal as advertised and meets all the conditions of the Planned Overlay District, the Director of Economic Development may approve said amendment. The approved plan shall be retained in the office of the Director of Economic Development.
- c) If the Director of Economic Development determines that the proposed amendment is not consistent with approved development plan or proposal as originally advertised and the conditions of the Planned Overlay District, he/she shall so report, the changes shall be subject to review and final approval by the Planning Commission. The Commission may, if it deems necessary, require a new public hearing on the matter in accordance with procedures specified for amending this Chapter and submit such findings of fact to the Board of Aldermen for final decision.

SECTION 400.210: GATEWAY OVERLAY (GO)

- A. *Purpose:* The Gateway Overlay District is intended to promote investment in the City's gateway from Interstate 70 and Lambert International Airport that facilitates redevelopment of underutilized and/or aging commercial uses along Natural Bridge Road and the northernmost segment of Woodson Road. The Gateway Overlay District is intended for regional attractions and site designs that create a distinct gateway to the city from the regional transportation network. All requests for the Gateway Overlay District shall be in accordance with Section 400.200. Unless otherwise specified in the approving ordinance, the specific supplementary requirements applicable in the Gateway Overlay District shall be as provided in this Section.
- B. *Maximum Site Coverage:* There is no maximum site coverage limitation in the "Gateway" Overlay District; however, each site shall contribute street plantings, street lighting and other pedestrian amenities as required by the Planning Commission.
- C. *Setbacks:*
 - a) *Front:* The required front setback is a minimum of twenty feet (20') to allow for public space in the form of sidewalks, plaza areas and landscaping between the street and the building. The minimum front yard setback may be modified or reduced by the Planning Commission for the purpose of creating public space and/or achieving the goals of the Comprehensive Plan.
 - b) *Rear:* As approved on the Final Plan.
 - c) *Side:* As approved on the Final Plan.
- D. *Vehicle and Driveway Access:* All development shall provide a primary entrance on Natural Bridge Road or Woodson Road subject to Missouri Department of Transportation access management standards and any improvements required by the Planning Commission to the public right-of-way deemed necessary for safe, convenient vehicular and pedestrian accessibility.
- E. *Off-Street Parking:* The Board may authorize up to twenty percent (20%) reduction in the City's required off-street parking requirements subject to approval of a site plan showing the proposed number, configuration and dimension of each off-street parking stall and proposed on-site circulation showing how parking will be managed for any decrease in parking requirements. The site plan for parking reductions shall be subject to review by the Director of Economic Development, Planning Commission and all agencies having jurisdiction over the site, including but not limited to the Fire District. The Board of Aldermen shall have final approval of all parking reductions. The burden should be placed on the petitioner to demonstrate how they will manage parking on the project site so as

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not to spill into adjacent residential neighborhoods. The following aesthetic guidelines are recommended for parking areas:

- a) Off-street parking shall be located behind the primary use in parking clusters that are screened. Parking must be landscaped and/or buffered to minimize visibility from residential properties.
 - b) All landscaped areas shall be delineated by a vertical concrete curb unless part of a rain garden or similar runoff collection system.
 - c) The use of stormwater best management practices (BMP's) approved for use by the Metropolitan St. Louis Sewer District is encouraged. Stormwater BMP's include, but are limited to the use of permeable pavements and pavers, indigenous landscaping and rain gardens.
- F. *Pedestrian access and circulation:* Convenient and pleasant pedestrian access shall be provided through all development sites that consist of more than one building, and shall connect all buildings to public sidewalks. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced.
- a) Clear and well-lighted walkways, a minimum of 5 feet in width, shall connect entrances into all uses, parking areas and connect to adjacent pedestrian use areas, where applicable.
 - b) Pedestrian Use areas shall be landscaped where feasible with trees, shrubs and other plant material, meeting the requirements of Article III Section 400.290 "Landscape and Screening Requirements".
 - c) Pedestrian access should be provided to create connections to transit stops. Where transit stops are provided or planned, shelters should be provided and placed in locations that promote security through natural surveillance and visibility, and shall be well-lighted and weather-protected.
- G. *Outdoor Seating:* Outdoor seating areas are encouraged pursuant to the following guidelines:
- a) Clear and unobstructed walkways shall be provided to allow access to all tables during operating hours. All ingress, egress and walkways accessing the tables shall be in compliance with ADA.
 - b) Maximum seating capacity shall be determined by the fire department.
 - c) Use of an outdoor seating area shall not extend past 10 PM on week nights and 11 PM on weekends, unless specifically authorized by the City.
 - d) The serving of any alcoholic beverage in an outdoor seating environment shall require a Conditional Use Permit.
- H. *Signs:* All applications for a Gateway Overlay shall be accompanied by a sign package illustrating the design, placement and size of all signage. All signage shall comply with the City's Sign Requirements Article VI. The Planning Commission may impose additional restrictions on signage as needed to ensure all signage is harmonious with the development and does not obstruct any public right of way or pedestrian use area or create visual clutter.
- I. *Waivers and Conditions:* The Board of Aldermen shall specify in the approving ordinance such authorizing waivers and conditions applicable to the overlay district as conforming to the purposes of the Planned Overlay District and the Code.

SECTION 400.220: TOWN CENTER OVERLAY (TCO)

- A. *Purpose:* The Town Center Overlay is intended to promote reinvestment in the City's underutilized and/or aging commercial corridor that will provide a center of activity in the community with a mix of

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uses including commercial, residential and open space. Provisions for open space, public gathering areas and infrastructure and amenities that support non-vehicular modes of travel are encouraged. All requests for the Town Center Overlay District shall be in accordance with Section 400.200. Unless otherwise specified in the approving ordinance, the specific supplementary requirements applicable in the Gateway Overlay District shall be as provided in this Section.

- A. *Structure Height:* No structure shall exceed three (3) stories or 35' whichever is less, unless approved by the Planning Commission.
- B. *Maximum Site Coverage:* There is no maximum site coverage limitation in the "Town Center" Overlay District; however, each site shall contribute street plantings, street lighting and other pedestrian amenities as required by the Planning Commission.
- C. *Setbacks:*
 - a) *Front:* The required front setback is a minimum of ten feet (10') to allow for the public space in the form of sidewalks, plaza areas and landscaping between the street and the building. The minimum front yard setback may be modified or reduced by the Planning Commission for the purpose of creating public space and/or achieving the goals of the Comprehensive Plan.
 - b) *Rear:* The minimum rear setback shall be 30'. The setback may be reduced to zero (0) if an alley is present.
 - c) *Side:* There are no minimum or maximum side setback requirements, except where a site abuts a residentially zoned property, in which case the minimum side setback should be the same as required in the underlying zoning district.
- D. *Vehicle and Driveway Access:* All development shall provide a primary entrance on Woodson Road subject to Missouri Department of Transportation access management St. Louis County's access standards and any improvements required by the Planning Commission to the public right-of-way deemed necessary for safe, convenient vehicular and pedestrian accessibility.
- E. *Off-Street Parking:* The Board may authorize up to 20% reduction in the City's required off-street parking requirements subject to approval of a site plan showing the proposed number, configuration and dimension of each off-street parking stall and proposed on-site circulation showing how parking will be managed for any decrease in parking requirements. The site plan for parking reductions shall be subject to review by the Director of Economic Development, Planning Commission and all agencies having jurisdiction over the site, including but not limited to the Fire District. The Board of Aldermen shall have final approval of all parking reductions. The burden should be placed on the petitioner to demonstrate how they will manage parking on the project site so as not to spill into adjacent residential neighborhoods. The following aesthetic guidelines are recommended for parking areas:
 - a) Off-street parking shall be located behind the primary use in parking clusters that are screened, landscaped and/or buffered to minimize visibility from residential properties.
 - a) Unless part of a rain garden or similar runoff collection system, all landscaped areas shall be delineated by a vertical concrete curb.
 - b) The use of stormwater best management practices (BMP's) approved for use by the Metropolitan St. Louis Sewer District is encouraged. Stormwater BMP's including, but not limited to the use of permeable pavements and pavers, indigenous landscaping and rain gardens.
- F. *Pedestrian access and circulation:* Convenient and pleasant pedestrian access shall be provided through all development sites that consist of more than one building, and shall connect all buildings to

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public sidewalks. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced.

- a) Clear and well-lighted walkways, a minimum of 5 feet in width, shall connect entrances into all uses, parking areas and connect to adjacent pedestrian use areas, where applicable.
- b) Pedestrian Use areas shall be landscaped where feasible with trees, shrubs and other plant material, meeting the requirements of Article III Section 400.290 "Landscape and Screening Requirements".
- c) Where transit service is available or planned, such as along Woodson Road, site plans shall provide pleasant and convenient access to transit stops. Where transit shelters are provided, they shall be placed in locations that promote security through natural surveillance and visibility, and shall be well-lighted and weather-protected.

G. *Outdoor Seating*: Outdoor seating areas are encouraged pursuant to the following guidelines:

- a) Clear and unobstructed walkways shall be provided to allow access to all tables during operating hours. All ingress, egress and walkways accessing the tables shall be in compliance with ADA.
- b) Maximum seating capacity shall be determined by the fire department.
- c) Use of an outdoor seating area shall not extend past 10 PM on week nights and 11 PM on weekends, unless specifically authorized by the City.
- d) The serving of any alcoholic beverage in an outdoor seating environment shall require a Conditional Use Permit.

H. *Signs*: All applications for a Town Center Overlay shall be accompanied by a sign package illustrating the design, placement and size of all signage. All signage shall comply with the City's Sign Requirements Article VI. The Planning Commission may impose additional restrictions on signage as needed to ensure all signage is harmonious with the development and does not obstruct any public right of way or pedestrian use area or create visual clutter.

I. *Waivers and Conditions*: The Board of Aldermen shall specify in the approving ordinance such authorizing waivers and conditions applicable to the overlay district as conforming to the purposes of the Planned Overlay District and the Code.

ARTICLE III. SUPPLEMENTAL REGULATIONS

SECTION 400.230: NON-CONFORMING USES AND STRUCTURES

A. *Non-Conformity*:

1. A non-conforming lot, land use or structure is one which existed lawfully, whether by variance or otherwise, on the effective date of this Chapter or any amendment thereto and which fails to conform to one (1) or more of the applicable regulations of this Chapter or any amendment thereto. A non-conformity shall not be deemed to have existed on the date of this Chapter or any amendment thereto becomes effective, unless:
 - a) It has been consistently in use after such effective date at the same level or intensity as of the date of adoption or amendment of this Chapter; and
 - b) If such non-conformity is a use, such use has not been expanded or abandoned as hereinafter defined.

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2. Such non-conformities may be incompatible with and detrimental to permitted land uses and structures in the *zoning districts in which they are situated, they inhibit present and future development of nearby properties, and they confer upon their owners and users a position of unfair advantage.*
- B. *Statement of Intent:* Non-conformities are not to be expanded, and they should be abolished or reduced to conformity as quickly as the fair interest to the parties will permit. (Ord. No. 728 Art. I §Z-19.1, 5-16-74)
- C. *General Provisions:*
1. *An existing non-conforming land use or structure shall not cause further departures from the Zoning Ordinance.* Although an existing non-conformity may be continued, except as hereinafter limited, it may not be changed to another use, but only to a use permitted in the district in which it is situated and provided it complies with all other requirements of that district.
 2. The existence of any present non-conformity anywhere in the City shall not itself be considered grounds for the issuance of a variance for other property.
 3. Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any structure on which actual construction was lawfully begun in good faith prior to the adoption of this Chapter or amendment thereto, and if such construction is diligently prosecuted to completion within two (2) years following such date. "Actual construction" is hereby defined to include the placing of construction materials so that they are in a permanent position and fastened to the earth in a permanent manner.
 4. *Extension:* A non-conforming use of land shall not be enlarged, extended, or altered and a structure or part thereof devoted to a non-conforming use shall not be enlarged, extended, constructed, reconstructed, or structurally altered except:
 - a) As may be required by law;
 - b) In changing the use to one which is permitted in the district in which such use is situated; or
 - c) To the extent hereinafter permitted.
 5. *Moving:* A non-conforming use of land shall not be moved to another part of a lot or outside the lot, and a non-conforming use of a structure shall not be moved to any part of the structure not manifestly arranged and designated for such use at the time the use became non-conforming.
 6. *Change in use:* Where any change is proposed to be made to a use that is permitted by Conditional Use Permit in the district it is located, such change shall be made only through a conditional use permit granted pursuant to the procedure delineated by Section 400.420 of this Chapter.
 7. *Density:* The number of dwelling units in a non-conforming residential structure shall not be increased after said structure has become a non-conforming use.
 8. *Ordinary repair and maintenance:* Nothing in this Chapter shall be deemed to prohibit the restoration of any structure and its use where such structure has been destroyed by any means out of the control of the owner to an extent less than sixty percent (60%) of its replacement value (excluding the value of the land, the cost of preparation of land, and the value of any foundation adaptable to a conforming use) at the time of destruction; provided however, that the restoration of such structure and its use in no way increases any former non-conformity and provided that the restoration of such structure is begun within six (6) months of such destruction and diligently prosecuted to completion within one (1) year following such destruction.
 9. *Substantial repair and maintenance:* If a structure is destroyed by any means out of the control of the owner to an extent of more than sixty percent (60%) of its replacement value (excluding the

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value of the land, the cost of preparation of land, and the value of any foundation adaptable to a conforming use) at the time of destruction, as determined by the Director of Public Works, the structure shall not be restored except in full conformity with all the regulations of the district in which such structure is situated. When a structure is determined to violate one or more code provisions by the proper administrative official of Woodson Terrace under any applicable ordinance of the City and the cost of placing the structure in condition to satisfy the standards under such ordinance shall exceed sixty percent (60%) of the reconstruction cost of the entire structure, such non-conforming structure shall not be restored for the purpose of continuing a non-conforming use. However, none of the restrictions contained in this Section shall limit the authority of the Board of Adjustment to grant relief for reconstruction of a non-conforming structure as provided in Section 400.300 of this Chapter.

D. *Abandonment/Registration of Non-Conforming Uses:*

1. Any non-conforming use which has been abandoned, as defined below, shall not thereafter be re-established. Any structure and/or land, which was formerly devoted to a non-conforming use which has been abandoned, shall not again be devoted to any use other than those uses which are permitted in the district in which the structure and/or land is situated.
2. The term "abandonment", as used herein, shall mean the voluntary discontinuance of a use when accompanied by intent not to re-establish such use. Any one (1) of the following shall constitute prima facie evidence of intent to abandon:
 - a) Any positive act indicating such intent;
 - b) Any conscious failure to take all necessary steps to resume the non-conforming use with reasonable dispatch in the circumstances, including advertising of the property for sale or for lease;
 - c) In the case of a structure or of a structure and land in combination, discontinuance of the non-conforming use for twelve (12) consecutive months; or
 - d) In the case of land only, discontinuance of the non-conforming use for ninety (90) consecutive days or for a total of six (6) months during any one (1) year period.
3. Reserved. (Ord. No. 728 Art. I §§Z-19.3—19.4, 5-16-74; Erata Sheet Revision, Page 2)

SECTION 400.240: ACCESSORY BUILDINGS, STRUCTURES AND USES

This Section sets forth regulations regarding certain uses, buildings and structures that are accessory to the principal use of the premises so that they may be carried on with the principal use. An activity will be considered an accessory use or accessory structure when it is commonly associated with, integrally related to and is customarily an incidental part of the main use of the property.

A. *Authorization.* Accessory buildings and structures may be permitted in any zoning district in connection with a use which is permitted within such district.

B. *Development Standards:*

1. No accessory building or structure shall be permitted in any required front, side or rear yard except as specifically provided in this Article.
2. Accessory buildings and structures in any residential district shall be set back at least three (3) feet from any interior side lot line and at least ten (10) feet from any rear lot line. Canopies or awnings on structures accessory to any residential use shall conform to the aforementioned minimum

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building setback requirements for accessory buildings. Above ground swimming pools shall maintain a ten (10) foot setback from any side or rear property line.

3. No part of any accessory building or structure shall be located closer than ten (10) feet of any principal building or structure or other accessory building or structure. When an accessory building is attached to the principal building by a breezeway, passageway, or similar means, it shall comply with the yard requirements of the principal building to which it is an accessory use.
4. Storage of recreational equipment such as boats, boat trailers, camping trailers, converted buses or trucks shall be limited to private garages, side or rear yards of private homes. Stored vehicles or equipment shall be currently registered and/or licensed pursuant to local and State laws. Recreational vehicles or equipment shall not be stored within required off-street parking spaces, encroach onto public property or obstruct any sidewalks, nor be more than eight (8) feet wide and twenty-five (25) feet long. No recreational vehicle shall be used for living or sleeping purposes while stored on the premises.
5. No accessory building or structure in any residential district shall exceed twelve (12) feet in height. Landscape walls maybe located within the required side, rear, or front yard setback, but shall not exceed six (6) feet in height within any side and rear setback and four (4) feet in height between the front setback line of the building and the front property line.
6. No accessory building or structure in any nonresidential district shall exceed twenty (20) feet in height.
7. Accessory structures and uses shall otherwise comply with the development standards applicable to the zoning district in which they are located.

C. *Relationship to principal use:*

1. Nonresidential accessory structures shall be used only by the owner or tenant of the premises or the owner's or tenants' employees.
2. Residential accessory structures shall not be rented or occupied for financial consideration.
3. No building or structure accessory to any non-residential use shall occupy in the aggregate more than forty percent (40%) of the total lot area or more than forty percent (40%) of the primary use's floor area.
4. Playhouses, patios, cabanas, porches, gazebos and incidental storage buildings in a residential district shall not cover more than five (5) percent of the total lot area.
5. Home occupations shall be permitted pursuant to Section 400.250.

D. *Time of Construction:* No accessory building or structure shall be constructed or located on any lot prior to construction of the principal building to which is accessory.

E. *Temporary Accessory Buildings:* Temporary accessory buildings, including temporary storage structures which are to be used for storage purposes only, may be erected upon a lot prior to the construction of the main building and shall be removed upon the completion of the construction or upon abandonment of the construction. (Ord. No. 728 Art. I §§Z-18.1—Z-18.2, 5-16-74).

F. *Review & Appeals:* All accessory buildings and structures shall be approved by the Director of Economic Development and require a building permit, unless said permit is waived by the Director of Economic Development. Appeals from any decision of the Director of Economic Development shall be heard by the Board of Adjustment.

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SECTION 400.250: HOME OCCUPATIONS

- A. *Authorization:* A home occupation that is an accessory use to a single family residence shall be permitted in all single family residential districts.
- B. *Purpose:* Home occupations shall be regulated so as to:
1. Ensure the compatibility of home occupations with all uses permitted in the “R-1” and “R-2” Districts.
 2. Promote the health, safety and general welfare of residential neighborhoods by preventing excessive noise, traffic, nuisances, fire hazards and other adverse effects of unregulated home occupations.
 3. Establish standards for occupations in residential units.
- C. *Use Limitations:* No home occupation shall be allowed where likelihood exists that it will negatively impact, interfere or conflict with the character, peace, good order and/or safety of the neighborhood in which it is located. In addition, to any other use limitations applicable to the district in which the home occupation is located, no home occupations shall be permitted unless it complies with the following provisions:
1. A home occupation shall be entirely contained within an approved residence and no more than 25 percent of the combined finished floor area shall be utilized for a home occupation. A home occupation shall not be conducted in an accessory structure or building,
 2. Home occupations shall comply with all local, County, State and Federal regulations and the requirements of this Section.
 3. A home occupation shall be conducted only by persons lawfully residing within the residence.
 4. No visible evidence of the business shall be apparent from the street or the surrounding area nor shall any alteration of the exterior of the principal residential structure be made which changes the character thereof as a dwelling.
 5. All materials or equipment used in the home occupation shall be stored within an enclosed structure.
 6. No parking in the public rights-of-way shall result from the home occupation.
 7. No equipment or process shall be utilized in a home occupation that creates nuisance due to noise, vibration, glare, fumes, odor, emissions or electrical interference that is detrimental to the health, safety, peace, comfort and general welfare of persons in the City of Woodson Terrace.
 8. Except as otherwise permitted by law, no advertising, identification or business exterior displays or signs associated with a home occupation shall be permitted.
 9. There shall be no goods, materials or commodities sold or services rendered that require delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or parcel or letter carrier mail service using vehicles typically employed in residential deliveries.
 10. No traffic shall be generated by the activity of the home occupation that is abnormal to a residential neighborhood.
- D. *Conditional Use Permit.* A home occupation that does not comply with these provisions shall not be operated without first being issued a conditional use permit in accordance with the procedures set forth in Section 400.420.

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SECTION 400.260: FENCE REGULATIONS

A. Fence Types and Height in Residential Zoning Districts.

1. Fences shall not exceed six (6) feet in height. Fences or a landscaped screen on corner lots shall not be built within the sight distance triangle as defined in Section 400.270. Fences shall not be constructed in front of a building; however, on side and rear yards, the fence may be constructed on the property lines. On a corner lot, fences may not extend beyond the building line on either side of the yards adjacent to the two (2) streets.
2. All fences shall be constructed in a workmanship-like manner so that the horizontal and vertical support posts are inside of the fence area or hidden from both the neighbor's and general public's view.
3. All exposed steel, except galvanized metal fences, shall have a colored finish coat applied to them and be preserved against rust and corrosion.
4. Customary fencing around tennis courts and other permitted recreational amenities shall be exempt from height restrictions but shall comply in all other respects with the terms of this Section.
5. Fences for pools shall meet the requirements of this Section as well as all other applicable regulations of the City of Woodson Terrace.
6. The height of all fences and walls shall be measured from the natural grade of the subject property.

B. Design and Maintenance.

1. All fences shall be maintained in their original upright condition.
2. Fences designed for painting or similar surface finishes shall be maintained in their original condition as designed.
3. Missing boards, pickets or posts shall be replaced in a timely manner with material of the same type and quality.

C. Prohibited Fences. The following fences are prohibited in all residential zoning districts of the City.

1. Fences exceeding a height of six (6) feet, unless otherwise permitted in this Chapter.
2. Fences erected within the front yard as defined in this Chapter.
3. Sharp pointed fences.
 - a. No fence shall be constructed solely of a single wire or of two (2) wires between posts or support.
 - b. No fence shall be constructed, in whole or in part, of barbed wire.
4. No more than two (2) different types of fencing material are permitted on any lot.
5. No person shall erect or maintain any fence or screen, in whole or in part, of cloth, canvas or other like material.
6. Except as otherwise permitted by law, no person shall permit any fence erected or maintained on premises owned, occupied or leased by him/her to be used for advertising purposes, except for a small advertising placard stating the contractor who installed the fence.

D. Permit Required. No fence in the City shall be erected, modified or changed in any manner without first filing an application with the City Clerk or his/her representative for approval by the Director of Economic Development prior to construction. Such application shall be filed upon forms provided by the City and shall be accompanied by the following:

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1. Legal description and street address, if any, of the land for which the permit is requested.
 2. An overall concept plan, including the shape and dimension of the lot, together with the location, material and height of all proposed and existing fences.
 3. A statement from the legal owner of the property authorizing the placement of the fence on the property.
- E. *Appeals*: Appeals may be taken to the Board of Adjustment from any determination of the Director of Economic Development under this Section.
- F. *Penalties for Violation*. Any person, agent, officer or servant thereof who shall violate any of the provisions of this Section or who shall fail, neglect or refuse to comply with any provision of this Section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00). Each twenty-four (24) hour period during which the violation continues shall constitute a separate and distinct offense. (Ord. No. 728 Art. I §Z-18.3, 5-16-74; Ord. No. 1245 §§1-3, 6-20-91)

SECTION 400.270: SIGHT DISTANCE TRIANGLE:

No structure or planting exceeding thirty-six (36) inches in height that would impede drivers vision shall be erected or installed within the triangular area of a corner lot bound by the front property lines and a line connecting the two (2) points on the property lines thirty (30) feet from the intersection of the property lines. The Director of Public Works may establish more restrictive sight triangles based upon standards in the policy manual published by the American Association of State Highway and Transportation Officials (AASHTO) or when the Director of Public Works reasonably believes safety so requires more restrictive sight triangles and such restriction is approved by the Board of Aldermen.

SECTION 400.280: DOUBLE FRONTAGE LOTS:

In the case of double frontage lots or through lots, there shall be a front yard along each street.

SECTION 400.290: LANDSCAPE AND SCREENING REQUIREMENTS.

- A. *When Required*: A landscape plan shall be submitted for all new construction or expansion of more than 50% of an existing building or a change in use necessitating an increase of twenty-five (25) percent or more required parking stalls. A landscape plan shall also be required in conjunction with any site plan required for non-residential or multifamily development, redevelopment, subdivision, rezoning, or conditional use permit application. Single family and attached single family dwellings are exempted from these requirements. The landscape plan is subject to the review and approval by the Planning Commission.
- B. *Yard Requirements*: All required building setbacks shall be landscaped and maintained by the property owner unless otherwise used for automobile parking or circulation.
- C. *Parking Lot Landscaping*: Deciduous shade trees shall be provided within and along the perimeter of parking lots at a ratio of at least one (1) tree for every twenty (20) parking spaces, in accordance with the following:
1. All planting areas within a parking lot or vehicular use area shall be curbed with a minimum six (6)-inch high vertical concrete curb, unless designed in conjunction with a rain garden as approved by the Director of Public Works.

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2. Landscaped islands shall have a minimum width of six (6) feet and a minimum area of one hundred (100) square feet and include at least one (1) deciduous tree and a mixture of shrubs, grass, plants, flowers or other ground cover material.
 3. A perimeter-landscaped area no less than six (6) feet in width shall be required and include at least one (1) deciduous tree spaced no more than forty-five (45) feet apart and a mixture of shrubs, grass, plants, flowers or other ground cover material.
- D. *Dumpster Screening:* Except for single-family and duplex land uses, all outdoor trash areas shall be screened from view of roadways and adjacent sites by fences, walls or vegetative screens. The screen shall be designed to accommodate refuse hauling equipment, and provide complete visual screening of the dumpster and be compatible in material and color with the principal structure on the lot.
- E. *Transition Buffer Specifications:* Where nonresidential development is adjacent to a residential land use, a transition buffer shall be required on the nonresidential lot where it abut said residential lot. The required transition buffer shall meet the following specifications or combination thereto, subject to approval by the Planning Commission.
1. *Landscaped buffer:* The landscape buffer shall be a minimum of twenty (20) feet in width and consist of a mixture of coniferous and deciduous trees, planted and maintained to achieved, within thirty-six (36) months after occupancy of the premises, to be screened at a minimum height of six (6) feet above grade at any particular point along its length.
 2. *Landscaped Berm:* The landscaped berm shall be a minimum of thirty (30) feet in width at the base and at least four (4) feet in height, as measured perpendicular to grade level at any point along its length. Side slopes shall have a gradient no steeper than three (3) to one (1) and be sodded so as to prevent erosion. The top of the berm shall contain a planting screen. The construction of such berm, along with any necessary culverts and ditching, shall not create adverse drainage and flooding conditions on adjacent property as determined by the Director of Public Works and approved by the Planning Commission.
 3. *Screen Wall:* A solid or semi-solid screen or wall six (6) feet high with landscape material planted at the base to compliment onsite views from adjoining districts.
- F. *Public Utilities:* All local public utility facilities, other than poles and equipment attached thereto, shall be adequately screened with landscaping, fencing, walls, or shall be placed underground, or any combination thereof; or shall be enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
- G. *Minimum Tree Requirements:* New trees shall have a caliper of no less than two (2) inches upon planting, and may be clustered for decorative effect following professional landscaping standards for spacing, location, and design.
- H. *Waivers:* The Planning Commission may waive or vary the requirements of this Section, if the developer demonstrates that due to special limitations, unusually shaped parcels, variations in topography, soils or other site conditions or impacts to public safety that an alternative method of compliance with this section is warranted.

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SECTION 400.300: OFF-STREET PARKING REGULATIONS

All buildings or structures hereafter erected, constructed, reconstructed, moved or altered in any manner so as to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area or seats, shall be provided with off-street parking spaces pursuant to the following requirements.

A. Residential Uses:

1. Parking spaces required by this Chapter shall be located on the same parcel of land that the residential use is located.
2. Parking space(s) provided in an enclosed or semi-enclosed structure shall not project beyond any required building line, except as may be provided in Section 400.240 Accessory Buildings, Structures and Uses.
3. No required parking space shall encroach upon the street right-of-way of any residential district.
4. The off-street parking requirements in residential districts may be reduced by the Board of Aldermen for cause shown to give flexibility and/or promote the goals of the Comprehensive Plan.
5. No abandoned or derelict motor vehicle, no truck with a rated capacity of more than one and one-half (1½) tons, no tractor, tractor trailer or tandem truck shall be parked, stored, or kept upon any residential district premises between the front building line and the adjoining street at any time, provided however, that such vehicles may be so kept, packed or stored for a period not to exceed twenty-four (24) hours for the purpose of loading or unloading only.

B. Apartments and Non-residential Uses:

1. No parking space shall be accessible from an access driveway within the first fifteen (15) feet of the driveway measured from the street right-of-way line.
2. Two (2) or more uses may combine to provide the required parking space jointly; however, the parking space so provided shall equal the total space required if each use were to provide parking separately. Plans for such joint parking must be approved by the Board of Aldermen who shall, after approval, record the parking plan and an appropriate legal instrument agreement among the owners of the various properties involved with the office of the St. Louis County Recorder of Deeds. Such recorded plans and agreements shall be binding upon the owners of the properties involved and their successors and assigns and shall limit and control the use of land included in the plan to those uses and conditions approved by the Board and agreed to by the owners of the properties involved.
3. No off-street parking space required under this Chapter shall be used for any purpose other than parking.
4. Where a change or expansion in use creates greater parking requirements than the amount being provided, no building or occupancy permit shall be issued until provision is made for the increased amount of required off-street parking.
5. All parking stalls shall contain wheel guards or be curbed in such a manner to ensure that no vehicle will overhang sidewalks or landscaped areas and to ensure that vehicle movement is restricted to driving aisles and driveways.
6. All required parking spaces, driving aisles, and access streets shall be constructed prior to the issuance of any occupancy permit. (Ord. No. 728 Art. I §Z-17, 5-16-74; Ord. No. 905 §1, 1-15-80)
7. The overnight storage of a vehicle(s) in a non-residential district shall require a permit and fee as determined by the Board of Aldermen for any use that would not customarily require the overnight storage of a vehicle.

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C. Required Parking Spaces:

Table 1.1 Required Off-Street Parking	
Use	Maximum Number of Parking Spaces:
Auditoriums, churches, theatres, stadiums, dance hall, banquet hall and other places of assembly	1 space for every 4 seats, (one seat equals 2 feet of bench length) or one (1) space for every 50 square feet of floor space for uses without fixed seats.
Automotive (Vehicle) Sales, Rental & Service	2 stalls per 1,000 sf* of indoor sales area, plus 1 stall per 2,500 sf of outdoor display, plus 3 stalls per service bay.
Barber shops and beauty salons	3 spaces for every chair.
Building Supplies, Brick or Lumber Yard	2 stalls per 1,000 sf of indoor sales area, plus 1 stall per 2,500 sf of outdoor display
Car Wash	1 space for each employee on the maximum shift and 3 queue spaces per bay-including bay capacity- for a total of 4 queue spaces per wash bay.
Club, Civic or, Fraternal Lodges, Museums, Libraries etc.	1 stall per 200 sf of gfa**
Commercial or services not listed in this Article	5 spaces per 1,000 sf of gfa**
Community Center, Health Club or Fitness Center, Indoor Recreation	5 stalls per 1,000 sf of gfa
Daycare (Nursery)	1 stall per 400 sf of gfa
Drive in or Drive Through Lanes	5 queue spaces for first service lane 4 queue spaces for second service lane
Financial Services	4 stalls per 1,000 sf of gfa
Funeral Home	35 stalls per viewing room or 1 space for every 5 seats, whichever is greater.
Furniture or Carpet Store, Home Improvement, Garden Supply	3 stalls per 1,000 sf of gfa
Grocery Store, Supermarket, and Department Stores	4 stalls per 1,000 sf of gfa
Group Quarters: Groups homes and nursing care facilities.	1 stall per 3 residents or beds
Hospital	1 space for every bed in the hospital
Hotel	1 stall per room, plus 1 for every employee on the maximum shift.
Multi-Family Residence, including retirement communities.	1 stall per efficiency or Studio Unit 1.5 stalls per 1 or 2 Bedroom Unit 2 stalls per 3 or More Bedroom Unit
Medical, Dental, Clinic-Outpatient,	5 stalls per 1,000 sf of gfa
Office	4 stalls per 1,000 sf1 of gfa2

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Table 1.1 Required Off-Street Parking	
Use	Maximum Number of Parking Spaces:
Restaurant (fast food & general):	9 stalls per 1000 sf gfa , OR 1 stall for every 3 seats- whichever is greater.
Retail Sales, Personal Services	4 stalls per 1,000 sf of gfa
Schools, Vocational and Institutional	1 space for every classroom and office, and 1 space for every 4 students over 16 years of age.
Service Station, Gas Station, Auto Repair Shop or Garage and Convenience Store	3 stalls per service bay, plus 4 stalls per 1,000 sf of retail space- this shall not include parking for gas pumps.
Shopping Centers:	4 stalls per 1,000 sf of total gfa, plus 9 stalls per 1,000 sf of food service area
Single-Family Residence	2 stalls per dwelling unit
Two-Family Residence	2 stalls per dwelling unit
Warehouse, Industrial, Manufacturing	2 spaces per 3 employees on the maximum shift plus one for each vehicle customarily used in operation or stored on the premises or 1 space per 1,000 sf of gfa, whichever is greater.

- D. *Computation:* When determination of the number of off-street parking spaces required by this regulation results in a requirement of a fractional space, the fraction of one-half (1/2) or less may be disregarded, and a fraction in excess of one-half (1/2) shall be counted as one (1) parking space. When a structure or development contains mixed uses, the off-street parking requirements shall be calculated for each individual use and the total parking requirement shall be the sum of the individual parking requirements.
- E. *Commercial Loading Requirements:* One (1) paved off-street loading space shall be provided on the premises for each fifteen thousand (15,000) square feet, or fraction thereof, of gross floor area in every building. Each such loading space shall measure no less than ten (10) by forty (40) feet and shall have a height clear of obstructions of fourteen (14) feet.
- F. *Industrial Loading Requirements:* Every structure or building containing at least five thousand (5,000) square feet of gross floor area shall provide an off-street loading space measuring not less than ten (10) by forty (40) feet and having a height, clear of all obstructions, of fourteen (14) feet, according to the following schedule (See Table 1.2):

*Square feet, **Gross floor area—the total area of all floors, measured between the exterior walls of a building.

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Gross Floor Area	Number of Loading Spaces
5,000 square feet to 24,000 square feet	1
24,001 square feet to 60,000 square feet	2
60,001 square feet to 96,000 square feet	3
96,001 square feet to 144,000 square feet	4
144,001 square feet to 192,000 square feet	5
192,001 square feet to 240,000 square feet	6
240,001 square feet to 294,000 square feet	7
294,001 square feet to 348,000 square feet	8
For each additional 54,000 square feet	1 additional space

- G. *Design requirements:* The provisions of this Section apply to all vehicle parking spaces and parking areas.
1. All parking areas shall be graded and installed pursuant to the applicable design requirements.
 2. No parking or loading space or area needed for loading and unloading shall obstruct pedestrian and vehicular movement on the public walks, streets or alleys.
 3. All proposed parking plans shall comply with the minimum parking dimensions and aisle widths shown below in Table 1.3.
 4. All spaces within a parking lot shall be clearly delineated by lines painted on or otherwise applied to the parking surface.
 5. Access aisles in parking lots must be at least twenty-two (22) feet wide for two-way traffic (24' round radii), and fourteen (14) feet wide for one-way traffic. One-way traffic aisles must be clearly marked with directional arrows on the pavement at each intersection with another aisle.
 6. All areas for off-street parking, excluding those of single-family and duplex residences, shall be so arranged so that vehicles can turn around within the area and enter the street or roadway in such a manner so as to completely eliminate the necessity for backing into the street or roadway.
 7. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from any adjoining residential use. Lighting standards shall in no event exceed sixteen (16) feet in height.
 8. Any parking that exceeds the minimum required parking stalls shall utilize permeable pavement as approved by the Director of Public Works.

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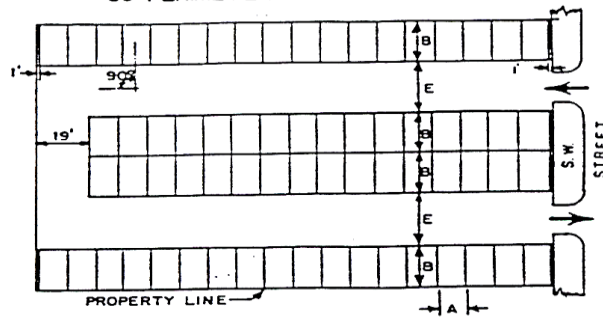
Table 1.3 Minimum Parking Dimensions and Aisle Widths

	A	B	C	D	E
Parking Angle	Stall Width	Stall Length	Curb Length per Car	Stall Depth	Aisle Width
0°	9.0'	--	23'	--	13'
45°	9.0'	19.7'	12.7'	17.0'	14.0'
60°	9.0'	21.0'	10.5'	18.0'	17.5'
90°	9.0'	19.0'	10.0'	19.0'	22.0'

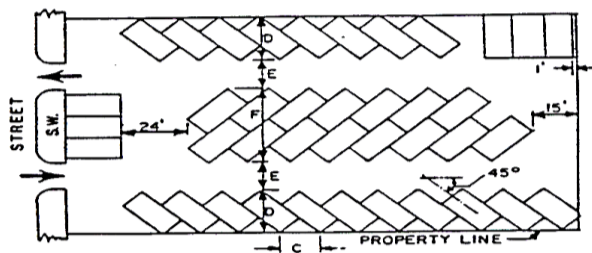
- The diagrams below illustrate the measurements (A), (B), (C), (D) and (E)
- Additional width may be required where the aisle serves as the principal means of access to on-site buildings.

OFF-STREET PARKING STANDARDS

90° PERIMETER & ISLAND PARKING



45° PERIMETER & ISLAND PARKING



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SECTION 400.310: TEMPORARY USES & SPECIAL EVENTS

- A. *Requirements & Procedures:* The Director of Economic Development is authorized to issue a permit for the operation or conducting of an amusement activity on a temporary basis within any zoning district. The Director of Economic Development may request a report be submitted by health officials with respect to any public health aspect of the proposal and by the Chief of Police with respect to any traffic or public safety aspect of the proposal, if appropriate. The permit shall be issued for a specified period of time not exceeding ten (10) days, unless otherwise provided hereafter or within the permit itself. The permit shall contain such conditions as are necessary for protection of public health, safety, and traffic, and the Director of Economic Development may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. This permit is in addition to any building permit, air pollution device, construction or operating permit, highway special use permit, or other permit or license required by law for any proposed activity or facility. No more than two (2) temporary amusement activity permits shall be issued in any calendar year with regard to any particular property; provided however, that this limitation with respect to the number of temporary amusement activity permits shall not apply to public property, nor to property not held for private or corporate profit and used exclusively for religious worship, schools and colleges, for purposes purely charitable, or for agricultural and horticultural societies. (Ord. No. 728 Art. I §Z-18.4, 5-16-74)
- B. The following temporary uses shall be allowed on a lot for which the vendor has a property interest.
1. *Amusement Activity:* For the purpose of this paragraph, "amusement activity" includes a circus carnival, fair, turkey shoot, art display, trade or animal show, concert, dance, rally, parade, athletic competition, and any similar activity not involving the erection of any permanent structure or facility.
 2. *Christmas Tree Sales:* Christmas tree sales in any business or industrial district for a period not to exceed 60 days. Display of Christmas trees need not comply with the yard and setback requirements of these regulations, provided that no trees shall be displayed within thirty (30) feet of the intersection of the curb line of any two streets.
 3. *Contractor's Office:* Contractor's office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project and to continue only during the duration of construction of such project.
 4. *Real Estate Office:* Real estate office (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing development to continue only until the sale or lease of all dwelling units in the development.
 5. *Seasonal Sales:* Seasonal sale of farm produce in any Commercial or Industrial District for a period not to exceed ninety (90) days and as approved by the Director of Economic Development.
 6. *Garage, yard or Porch Sales:* The sale of used or second-hand merchandise shall be permitted in any residential district providing that such use shall not exceed one (1) day in duration, nor occur more than four (4)-times, excluding city-wide sales, during a 12 month period at one residence.
- C. *Special Events:* All other special events not fully satisfying the criteria of this Chapter may be granted a special event permit only by the Board of Aldermen after review and report by the Director of Economic Development and Director of Public Works. This permit may be granted, denied, or made subject to conditions that the Board of Aldermen may deem reasonably necessary to protect the public health, safety, and general welfare. The Board of Aldermen shall review the application based on the intent of this Chapter and the appropriateness of the event in light of the standards set forth herein.
- D. *Appeals:* Appeals from decisions of the Director of Economic Development concerning special event permits shall be appealed to the Board of Zoning Appeals.

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SECTION 400.320: AIR NAVIGATION SPACE

Where required by the Board of Aldermen or the Planning Commission, the petitioner of any development shall supply a written statement from the Federal Aviation Agency stating that the development does not interfere with any air navigation space. (Ord. No. 728 Art. I §Z-18.5, 5-16-74)

SECTION 400.330: HELICOPTER LANDING PADS

No helicopter landing pads shall be allowed in the City. (Ord. No. 728 Art. I §Z-18.6, 5-16-74)

SECTION 400.340: ACKNOWLEDGMENT OF CONDITIONS

In each instance in which approval of use or development of property is made subject to conditions by the Board of Aldermen, a copy of the approved ordinance, resolution, order, or permit shall be:

1. Recorded by the property owner or owners prior to commencement of development or use at the property owner(s) cost; and
2. Furnished by the property owner or owners or petitioner to the operator, owner, and manager, including successive operators, owners, and managers, each of whom shall forward to the Director of Economic Development an acknowledgment that he/she has read and understood each of the conditions relating to the use and development of the property affected by the ordinance, resolution, order, or permit and agrees to comply herewith. (Ord. No. 728 Art. I §Z-18.7, 5-16-74)

SECTION 400.350: ARCHITECTURAL REVIEW BOARD

- A. *Purpose.* The purpose of the Architectural Review Board shall be to review plans and specifications for the exterior of buildings and structures within the City of Woodson Terrace in order to determine that these structures conform to certain minimum architectural standards of appearance and conformity with surrounding structures, and that unsightly, grotesque, and unsuitable structures, detrimental to the stability of value and the welfare of surrounding property, structures, and residents, and to the general welfare of the community, be avoided, and that appropriate standards of beauty and conformity be fostered and encouraged.
- B. *Members.* There is hereby created a Board of Aldermen to be known as the Architectural Review Board. The Board shall consist of the members of the Planning and Zoning Commission of the City of Woodson Terrace. The Chairman of the Planning and Zoning Commission shall be the Chairman of the Architectural Review Board.
- C. *Adoption of Rules and Regulations.* The Architectural Review Board may adopt from time to time such reasonable rules and regulations as it may deem necessary and proper.
- D. *Design Guidelines:* The following architectural design guidelines are provided to ensure that alterations to existing structures and new construction are visually pleasing, create architectural interest and reinforce pedestrian scale.
 1. *Articulation.* Buildings should be articulated to reduce the apparent scale of the building. Architectural details used to articulate the structure may include changes in the building plane (off-sets), columns, balconies and other three dimensional details that create shadow lines and break up the flat surfaces of the façade.
 2. *Roof & Eaves:* Roofline offsets should be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The use of eaves, alternating dormers, stepped roofs, gables or other roof elements should be used to add visual relief and physical articulation to the overall façade. Flat-roofed designs should include architectural details such as cornices and decorative eaves to provide interest to the roofline.

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3. *Window & Entryway Treatments:* Decorative lintels, sills, glazing, door design, moldings or framing details should be used on windows and entryways located on facades facing or adjacent to public streets.
 1. Primary building entries should be parallel to Natural Bridge Road and Woodson Road and include a stylized entryway such as a recessed entrance, an extruded entrance, truncated corner entryway or other design that creates an enhanced sense of entry.
 2. Building frontages and sides of buildings oriented to the street should incorporate a combination of awnings, building-mounted lighting, pedestrian level display windows, storefronts and entrances.
 3. Upper story windows should be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
 4. *Building Materials:* The use of external insulating finishing system (“EIFS”), corrugated metal, aluminum siding, and vinyl siding should be limited to accent features only. The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or right-of-way or any residential district. EIFS and vinyl siding should not be used on the bottom four (4) feet of the building façade or other areas where it could be easily damaged by yard equipment or constant contact by vegetation or pedestrians. The use of highly reflective or glossy materials or coatings should be limited to building accents only.
 5. *Awnings and Canopies:* All non-residential buildings should have an awning or canopy over any building entrance that abuts the public right-of-way. Awnings emphasize the primary entrance, provide shade and weather protection for users and add texture, interest and variety to the building façade and streetscape.
- E. *Review and Approval.* Three (3) prints of all plans, elevations, and detailed drawings relating to the architectural design, color, and texture of surface materials of exterior construction of any building or structure shall be submitted, for Architectural Review Board review and approval, to the Director of Economic Development simultaneously with, if not in duplicate to, other plans, elevations, and detailed drawings for review and approval of the Board of Aldermen and/or Planning Commission (see Sections 400.410 and 400.420). After approval of a development by the Board of Aldermen and/or Planning Commission and prior to forwarding approved plans to the Director of Public Works for building permit processing, the Architectural Review Board shall promptly approve, disapprove, or recommend such changes in plans relating to the architectural design, color, and texture of surface materials of exterior construction as are necessary in order to carry out the provisions of this Chapter. Decision of said Board must be made within thirty (30) days from the date of aforementioned approvals. Failure to make a decision within that period shall be deemed to constitute approval.
- F. *Appeals.* Appeals from any decision of the Architectural Review Board may be made by any person aggrieved thereby to the Board of Adjustment in the same manner as appeals may be made from a ruling of the Director of Public Works of the City of Woodson Terrace (see Section 400.400). (Ord. No. 728 Art. I §Z-23, 5-16-74)

SECTION 400.360: RESIDENTIAL INFILL & CONVERSIONS

- A. In order to protect the integrity of the City’s housing stock and to protect the public from hazards inherent in overcrowding in residential property, it shall be unlawful for any person to alter or cause to be altered, any existing structure or portion thereof to increase the number of dwelling units on any parcel of land.
- B. *Residential Infill:* Residential structures may be redeveloped or replaced, subject to the following additional regulations:

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1. Elevations for any reconstructed dwelling or new replacement dwelling shall be approved by the Planning Commission and meet all required Building Code requirements.
 2. The Board of Aldermen may waive the required height and bulk requirements, however, the development should be consistent with the surrounding residential development.
 3. The Board of Aldermen may waive the minimum lot size and density requirements provided the proposed lot size(s) and density does not exceed 150% of the average surrounding residential development.
 4. If not specifically waived or substituted in the ordinance authorizing the Conditional Use Permit, all provisions of the underlying zoning and development regulations shall apply.
- C. *Residential Conversions*: Residential structures located in a commercial district may be converted to a commercial use subject to the following additional regulations:
1. No alterations shall be made to the building exterior except for those required to bring the building into compliance with accessibility standards.
 2. Off-Street Parking shall be restricted to the rear of the building and comply with the requirements of this Code.
 3. Only one (1) accessory structure shall be permitted on the property and shall be used for storage purposes only.
 4. No exterior storage, placement of materials or display of goods shall be permitted; and
 5. Signage shall comply with Article VI.

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ARTICLE VI. SIGN REGULATIONS

SECTION 400.370: SIGN REGULATIONS

- A. *Purpose.* It is the purpose of this section to regulate and control the location, installation, number, and maintenance of signs and matters relating thereto within the City of Woodson Terraces in order to promote the public safety, health, and general welfare of the community except when preempted by State or Federal law.
- B. *Intent.* It is the intent of this Section to:
1. Provide for uniform regulation and orderly development of signs consistent with established policies and ordinances of the City.
 2. Provide a desirable and attractive living environment through harmonious and uniform signage.
 3. Accommodate the identification and communication needs of businesses and other organizations.
 4. Enable the public to easily locate goods, services, and facilities in the City.
 5. Acknowledge diverse needs businesses and organizations have for signage with rules adaptable to varying circumstances.
 6. Permit artistic freedom while controlling the adverse impacts of excessively obtrusive signage.
- C. *Overall Design Requirements.* Signs shall meet the following design requirements:
1. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them.
 2. Signs shall be designed not to compete with one another, but to contribute to the convenience of the public and the attractiveness of the streetscape.
 3. Signs shall be an integral architectural element of the buildings and sites that they identify.
 4. Signs shall be consistent with, and not detract from, the overall character of the buildings and sites that they identify.
 5. Signs shall be carefully crafted, durable, and consistent with the quality and permanence of the buildings and sites that they identify.
- D. *Scope.*
1. The provisions of this Section shall govern the installation, alteration, and maintenance of all signs and outdoor display structures, together with their appurtenant and auxiliary devices, with respect to location, size, content, construction, structure, and fire safety.
 2. This Section generally regulates only the sign structure or design, and not the sign's content and is not intended to prohibit any sign otherwise permitted by federal or state law. For example, pole mounted signs are regulated only by size, height, location, structure, and lettering size. The references to sign structure and sign copy have no bearing on the sign's content, message or viewpoint.
- E. *In General.* In order to carry out the provisions of these regulations, signs are divided into groups as set forth below. Certain words and terms to signs are defined in the definition Section 400.070. General regulations pertaining to all signs are established below. Specific district sign

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requirements are contained in the District Regulations Sections of this Chapter.

F. *Sign Permits.* No sign, unless exempted in Subsection (Q), shall be erected, constructed, posted, painted, altered, or relocated, except as provided in this Chapter, until a permit has been approved by the Woodson Terrace Board of Aldermen. Before any permit is issued, an application, forms of which are provided by the Director of Economic Development, shall be filed with the Director of Economic Development, together with a plan containing such drawings and specifications as may be necessary to fully advise and acquaint the Planning Commission and Board of Aldermen with the location, construction, materials, manner of illuminating, and securing or fastening, and the wording and/or delineation to be carried on the sign.

G. *Commercial Signs.* Signs in a commercial district shall conform to the general sign regulations outlined in this Section the following specific sign requirements.

1. *Detached Business Signs.* Detached business signs shall comply with the following:

- In the “C-1” District one (1) detached business sign is permitted not exceeding thirty (30) feet in height or fifty (50) square feet in outline area per facing is allowed for each street on which the development has frontage as long as the sign is not closer than fifteen (15) feet to the street right-of-way.
- In the “C-2” District one (1) detached business sign is permitted not exceeding thirty (30) feet in height or fifty (50) square feet in outline area per facing is allowed for each street on which the development has frontage as long as the sign is not closer than thirty (30) feet to the street right-of-way.
- In the “C-3” and “C-4” Districts one (1) detached business sign not exceeding thirty-five (35) feet in height above street level nor one hundred fifty (150) square feet in outline area per facing is allowed for each street on which the development has frontage as long as the sign is not closer than fifteen (15) feet to the street right-of-way.
- Portable sign are not allowed, unless permitted elsewhere in this Chapter or otherwise permitted by law.

2. *Attached (wall or roof) Business Signs:* One (1) attached wall or roof business sign is allowed for each permitted use or tenant on the premises and for each street on which a permitted use has frontage. For the purpose of this Section, frontage on a parking area serving this use may be considered the same as frontage on a street providing there is direct access to the use from the parking area and that said access is the primary access to said use.

a. Requirements for roof signs are given in Paragraph V of this Section.

b. Wall signs shall not extend beyond buildings in this district more than eighteen (18) inches horizontally and shall not project more than four (4) feet above the highest elevation of the roof or a total of thirty (30) feet above the ground grade, whichever is the lower elevation. Wall signs shall comply with the following:

- In the “C-1”, “C-3” and “C-4” Districts, no attached wall sign shall cover more than five percent (5%) of the wall area to which it is attached, except that no wall sign shall exceed fifty (50) square feet in outline area;
- In the “C-2” District, no attached wall sign shall cover more than eight percent (8%) of the wall area to which it is attached, except that no business sign shall exceed one hundred fifty (150) square feet in outline area.

H. *Industrial Signs:* Signs in an industrial district shall conform to the general sign regulations

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outlined in this Section and the following specific sign requirements.

1. **Detached Business Signs:** One (1) detached business sign not exceeding thirty (30) feet in height or fifty (50) square feet in outline area per facing is allowed for each street on which the development has frontage as long as the sign is not closer than ten (10) feet to the street right-of-way.
2. **Attached Business Signs:** One (1) attached wall or roof business sign is allowed for each permitted use or tenant on the premises and for each street on which a permitted use has frontage. For the purpose of this Section, frontage on a parking area serving this use may be considered the same as frontage on a street, providing there is direct access to the use from the parking area and that said access is the primary access to said use.
 - a. Requirements for roof signs are given in Paragraph V of this Section.
 - b. Wall signs must be flat and shall not project beyond the building horizontally or vertically. Each sign may be equal in outline area to not more than five percent (5%) of the area of the wall on which it is attached, except that no such business sign shall exceed three hundred (300) square feet in outline area.
- I. **Structural Approval and Inspection.** Structural and safety features and electrical systems shall be in accordance with the requirements of the latest edition of the Building Officials Conference of America (BOCA) Basic Building Code and National Electric Code. No sign shall be approved for use unless it has been inspected by the Director of Public Works after installation and is found to be in compliance with:
 1. Applicable technical codes,
 2. Ordinance requirements, and
 3. Sign plan requirements as approved by the Board of Aldermen.
- J. **Removal of Non-Conforming Signs.** Owners of all permanent non-conforming signs shall have one (1) year from receipt of written notice of non-conformity to remove or bring said signs into conformance with applicable sign ordinance provisions. If this requirement is not met, the City Attorney may then initiate legal action to achieve compliance with the provisions of this Chapter.
- K. **Violation Responsibility.** The owner and/or tenant of the premises and the owner and/or erector of a sign shall be held responsible for any violation of these regulations; except that the erector of a sign shall be relieved of all responsibility under these regulations after the sign has been approved by the Board of Aldermen and inspected by the Director of Public Works.
- L. **Vacated Premises.** Any sign previously associated with a vacated premise shall be removed from the premises by the lessee or owner not later than ninety (90) days after the property is vacated.
- M. **Neglected or Dilapidated Signs.** All signs shall be maintained in good condition and appearance. The Board of Aldermen may cause to be repaired or removed any sign which, in its opinion, shows gross neglect or becomes dilapidated after first providing the owner written notice and an opportunity to cure said sign.
- N. **Conflict.** The Director of Public Works shall remove or cause to be removed any sign erected or maintained in conflict with these regulations if the owner or lessee of either the site or the sign fails to correct the violation within thirty (30) days after receiving written notice of violation from the Director of Economic Development. The owner shall have the right to appeal the determination of the Director of Economic Development within twenty (20) day of the receipt of written notice of the

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violation to the Board of Adjustment, and removal of said sign shall be stayed until a final decision by the Board. The cost of removal shall be paid by the owner of the property upon which the sign was located and if not paid within thirty (30) days from receipt of the bill, said cost shall become a lien against the property. Removal of a sign by the Director of Public Works shall not affect any legal proceedings instituted for sign violation prior to removal of said sign.

O. *Penalties.* Any person, firm, or corporation violating any of the provisions of this Section shall, upon conviction thereof, be subject to the penalties set forth in Section 400.470 of this Chapter.

P. *Appeals.* Any appeal as to the interpretation of these regulations shall be in accord with those provisions contained in Section 400.400 of this Chapter.

Q. *Exempted Signs.* The following signs do not require permits

1. Official traffic signs and their supports; directional, informational, or warning signs or sign supports; and street signs and their supports when erected or authorized to be erected by a governmental agency.
2. Temporary signs indicating danger.
3. Changing of the copy or parts of any sign that is required in the course of normal maintenance.
4. During the construction period of a development, a temporary sign which identifies the architects, engineers, contractors, and other individuals or firms involved with the construction and announces the character of the building, enterprise or the purpose for which the building is intended, but not including any advertisement of any product, providing however, that there is only one (1) sign erected for each street frontage. The area of the sign for any one (1) firm shall not exceed nine (9) square feet in area or five (5) feet in height in residential districts, and fifteen (15) square feet in area or ten (10) feet in height in commercial and industrial districts. The sign shall be confined to the site of the construction and shall be removed within fourteen (14) days of the issuance of an occupancy permit for the structure with which the sign is associated.
5. Public notices and legal notices as required by law.
6. Signs on a truck, bus, trailer or other vehicle, while in use in the normal course of business. This is not to be interpreted to permit parking or storage of a vehicle to which signs are attached for merely advertising purposes.
7. Public signs of a non-commercial nature and in the public interest erected by or on the order of a public officer in the performance of his/her public duty, including, but not limited to, safety signs, danger signs, trespassing signs, memorial plaques, and signs of historical interest.
8. Political campaign signs announcing the candidates seeking public office and other data pertinent thereto, to a maximum height of six (6) feet, and to a maximum area for any one (1) sign of eight (8) square feet and a total sign area of sixteen (16) square feet for each premise. These signs shall be confined to private property (placement of said signs shall not be placed in any road right-of-way).
9. Special decorative displays used for public holidays and then only for a maximum of thirty (30) days before and ten (10) days after the specific holiday.
10. Window display signs affixed to a window or part of a display of merchandise inside the window when limited in area to twenty percent (20%) of the total glass area of the window.

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11. Integral sign. Name of building, date of erection, monumental citation, commemorative tablet and the like when carved into stone, concrete, or similar material, made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.
 12. One (1) name plate per property not exceeding two (2) square feet in area, stationary and not illuminated, announcing only the name and occupation of the building occupant.
 13. Barber poles that are not more than six (6) inches in diameter or more than twenty-four (24) inches in overall length.
 14. Building street number and warning signs not exceeding one (1) square foot in sign area per sign.
- R. *Special Purpose Signs.* The Board of Aldermen, subsequent to application to the Director of Economic Development, may issue permits for the following signs and displays when, in their opinion, the use of such signs and displays would be in the public interest and would not result in damage to public property.
1. For a period of time not to exceed fifteen (15) days.
 - i. Signs advertising a special civic or cultural event such as a fair or exposition, play, concert, or meeting sponsored by a governmental or non-profit organization not exceeding twelve (12) square feet in area and four (4) feet in height.
 - ii. Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business.
 2. *For an indefinite period of time.* Time and temperature signs where deemed to be a service to the general public providing that the portion of any sign solely displaying time and temperature does not exceed ten (10) square feet in area and providing that there are no other time and temperature signs within one thousand (1,000) feet of the proposed sign location.
- S. *Prohibited Signs.* The following signs shall not be allowed in any district:
1. Neon signs, except as permitted as a window sign.
 2. Temporary signs in residential district, unless as approved by the Board of Aldermen and the appropriate fees, as determined by the Board are paid in full.
 3. Signs of which all or any part moves or which appears to move by any means, including fluttering, rotating, or otherwise moving devices, or is set in motion by external sources (including, but not limited to, pennants, flags, propellers, etc.).
 4. Signs displaying flashing or intermittent lights or lights of changing degrees of intensity.
 5. Strips or strings of lights outlining property lines, sales area, roof lines, doors, windows, wall edges, or other architectural feature of any building.
 6. Any off-premise (advertising) sign, mechanical sign, or flashing sign, including billboards.
 7. Signs painted on the surface of roofs that are visible from the public right-of-way.
 8. Any sign that appears to simulate, copy, or imply any official traffic warning either for vehicles or pedestrians.
 9. Signs so located and illuminated as to provide a background of colored lights blending with traffic signal lights which might confuse a motorist when viewed from normal approaching

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position of a vehicle. No sign shall be located so as to impair the visibility of any official highway sign or marker, nor shall be so placed as to unnecessarily obstruct the visibility of any other sign.

10. Projecting signs.

11. Any exterior lighting or glare associated with signs shall not cast on adjacent streets or properties and shall comply with the Article VII Zoning Performance Standards.

T. *Signs Over Streets, Alleys, and Sidewalks.*

1. No sign shall project over that portion of any street or alley right-of-way used or proposed to be used for vehicular travel, except that this shall not apply to special purpose and public signs erected by public agencies or utilities in the performance of their work as required by law.

2. No sign projecting over any part of a sidewalk shall be erected less than eight (8) feet, measured vertically, above any part of such sidewalk, except for a barber's pole that is not more than six (6) inches in diameter, twenty-four (24) inches in length and projects not more than ten (10) inches from the building wall to which it is attached.

U. *Light As A Sign.* When the direct or indirect source of artificial lighting possesses a degree of intensity greater than twenty (20) foot-candles, measured at the object to be illuminated, when used to light any part of the exterior of a building, or when the use of any source or intensity of light is employed to outline any portion of the building or structure, other than illuminated as defined herein, the area illuminated shall not be considered in determining the number of permitted signs, but shall be included in the computation of permitted sign area by calculating the area of the building lighted, or in the case of strip lighting, by multiplying the width of the source of light plus six (6) inches by the length of the source of light.

V. *Roof Signs.* *Roof signs shall only be permitted on one-story buildings as follows:*

1. On buildings with pitched roofs, the sign shall not be set back more than three (3) feet from the face of the wall of the building and shall not project above an imaginary line connecting the top of the roof with a point on the ground fifty (50) feet distant from the wall base of the building and at that point five (5) feet higher than the first (1st) floor elevation of the building.

2. On canopy roofs, where there is either a building wall or parapet wall for a background, the sign shall not be set back more than three (3) feet from the front edge of the canopy roof and shall not project above an imaginary line connecting the top of a building or parapet wall with a point on the ground fifty (50) feet distance from the wall base of the building and at that point five (5) feet higher than the first (1st) floor elevation of the building. However, in no case shall the top of the sign extend more than four (4) feet above the canopy roof. Whenever there is more than one (1) sign on the same canopy roof, they shall be set the same distance back from the front edge of the canopy roof.

3. The supporting members of a roof sign shall appear to be free of any extra bracing, angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building.

W. *Information Signs.* Information signs shall not exceed sixteen (16) square feet in area per facing nor be more than six (6) feet in height if freestanding. Flat, wall information signs shall not extend beyond the perimeter of the wall surface to which they are attached.

X. *Directional Signs.* Signs designating entrance and exit driveways shall be of rectangular design and shall contain the word "Entrance" or the word "Exit". The sign may be double-faced

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non-illuminated or internally illuminated by artificial light from within itself. Each directional sign shall not exceed five (5) square feet in area per facing or four (4) feet in height, and may be located where necessary, except that no such signs shall be located on or over a public right-of-way without approval of the responsible road agency.

- Y. *Signs For Non-Conforming Uses.* Permitted signs for a non-conforming commercial or industrial use shall consist of those signs permitted in that commercial district that has the most restrictive sign requirements.
- Z. *Real Estate Signs.* Real estate signs advertising the sale, rent or lease of the premises or part of the premises on which the signs are displayed up to a total of four (4) square feet for residential property and thirty (30) square feet for commercial and industrial property, but no more than one (1) sign for each street on which the property has frontage. Such sign shall be removed within seven (7) days of the finalization of the sale, rent or lease of the affected property. Real estate signs are allowed in the "R-1" Single-Family Residence District only under provisions of Subsection (Q) (11). (Ord. No. 728 Art. I §Z-15, 5-16-74; Erata Sheet Revision, Pages 1–2; Ord. No. 1064 §§1–2, 3-21-85; Ord. No. 1232 §1, 12-6-90).
- AA. *Electronic Message Display Signs:* Electronic message display signs shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity. No lighting or glare associated with electronic message display signs shall be cast on adjacent streets or properties and shall comply with the Article VII Zoning Performance Standards.

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ARTICLE VII. ZONING PERFORMANCE STANDARDS

SECTION 400.380: ZONING PERFORMANCE STANDARDS

A. *In General.* This Section contains the zoning performance standards for Woodson Terrace. These standards shall apply to all land uses and developments in the "C" Commercial and "I" Industrial Zoning Districts, as well as in Mixed Use Overlays, and all land uses requiring a conditional use permit within any residential district.

B. *Performance Standards.*

1. *Vibration.* Every use shall be so operated that the maximum ground vibration generated is not perceptible without instruments at any point on the lot line of the lot on which the use is located.
2. *Noise.* Every use shall be so operated that the pressure level of sound or noise generated, measured in decibels, shall not exceed, at any point on the lot line, the maximum decibel levels for the designed octave band as set forth in the following table for the appropriate area:

Octave Band Cycles Per Second	Maximum Permitted Sound Pressure Level In Decibels Within or Adjacent to "R" Residence Districts	Within All Other Areas
0 to 75	72	79
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1,200	46	53
1,200 to 2,400	40	47
2,400 to 4,800	34	41
Above 4,800	32	39

3. *Odor.* Every use shall be so operated that no offensive or objectionable odor is emitted in accordance with the requirements of St. Louis County Health Department Ordinance 3347, 1964, or as amended.
4. *Smoke.* Every use shall be so operated that no smoke from any source shall be emitted that exceeds the emission levels in the requirements of St. Louis County Health Department Ordinance 3345, 1964, or as amended.
5. *Toxic gases.* Every use shall be so operated that there is no emissions of toxic noxious or corrosive fumes or gases which exceed the emission levels in the requirements of St. Louis County Health Department Ordinance 3347, 1964, or as amended.
6. *Emission of dirt, dust, fly ash, and other forms of particulate matter.* The emission of dirt, dust, fly ash, and other forms of particulate matter shall not exceed the emission levels in the requirements of St. Louis County Health Department Ordinance 3347, 1964, or as amended.

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7. *Radiation.* Every use shall be so operated that there is no dangerous amount of radioactive emissions in accordance with the standards of the Federal Radiation Council.
 8. *Glare and heat.* Any operation producing intense glare or heat shall be performed in an enclosure in such a manner so as to be imperceptible along any lot line without instruments.
 9. *Lighting:* Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination. All lighting shall comply with the following standards;
 1. All illumination structures, except for approved street lights, shall be so arranged to prevent direct light from being cast upon any adjacent property or public right-of-way and to prevent glare or other objectionable problems to surrounding areas.
 2. No light fixture shall have any blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness, or color, nor shall any beacon or spot lights be permitted.
 3. Neither the direct, nor reflected light from any light fixture shall create a disabling glare causing traffic hazards to motor vehicle operators on public thoroughfares.
 4. Any non-residential off-street parking or loading area in use at night shall contain a system of lighting to provide an adequate standard of at least one foot-candle of illumination over the area of the parking area to be used.
 5. All lighting shall be arranged to deflect, shade, and focus light away from adjacent properties, including public rights-of-ways. Lighting shall be designed so as not to create more than one foot-candle of illumination at any residentially zoned property boundary, or more than five foot-candles at any commercially zoned property boundary.
 6. Display lot lighting shall be turned off within 30 minutes after closing of the business; Full illumination of the display lot shall not be permitted after 11:00 PM. Only non-residential security lighting shall be used after 11:00 PM.
 7. Light fixtures used to illuminate objects mounted on a pole, platform, or pedestal shall not use a spotlight that will extend beyond the illuminated object. Uplighting of these structures shall cease after 11:00 PM, except for uplighting of the American Flag, or unless otherwise regulated.
 8. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of this ordinance are exempt from these requirements unless:
 - a) Existing outdoor lighting fixtures are replaced, removed, or reinstalled; or
 - b) Existing outdoor lighting systems are judged to be “intolerable” due to excessive, objectionable light emission as assessed by the Director of Economic Development; or if the emissions cause unsafe or hazardous conditions. Upon written notice by the Administrator, the owner of such lighting system will have 30 days to comply with the provisions as set forth in this Section. A 30 day extension may be granted by the Director of Economic Development.
 - c) The Director of Economic Development may require a special inspection to ascertain compliance with this Section.
- C. Any addition, modification, or change in any regulations, Code ordinance, or other standard referred to in these zoning performance standards shall become a part of these regulations. (Ord. No. 728

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Art. I §Z-16, 5-16-74; Erata Sheet Revision, Page 2)

ARTICLE VIII. BOARDS AND COMMITTEES

SECTION 400.390: PLANNING AND ZONING COMMISSION

- A. *Appointment, Vacancies, and Organization.* A Planning and Zoning Commission of the City of Woodson Terrace is hereby established. The Commission shall consist of seven (7) members, including the Mayor, if the Mayor chooses to be a member, a member of the Board of Aldermen selected by the Board if the Board chooses to have a member serve on the Commission and five (5) citizens appointed by the Mayor and approved by the Board. In the event that the Mayor and the Aldermen choose not to serve, additional citizen members shall be appointed in their place.
- B. *Citizen Members.*
1. Members shall serve without compensation and shall serve for a term of four (4) years; provided however, that the first (1st) Board appointed upon passage of this Section shall be appointed as follows:
 - a. Two (2) for a term of four (4) years;
 - b. One (1) for a term of three (3) years;
 - c. One (1) for a term of two (2) years; and
 - d. One (1) for a term of one (1) year.
 2. Vacancies shall be filled for the unexpired term of a member by appointments as provided in Subsection (A). The Board of Aldermen may remove any citizen member for cause stated in writing and after public hearing.
- C. The Commission shall elect its Chairman and Secretary from among its citizen members. The term of Chairman and Secretary shall be for one (1) year with eligibility for re-election.
- D. The Commission shall adopt from time to time such rules and regulations as it deems necessary to carry into effect the provisions of this Section.
- E. *Powers and Duties.* The Commission shall have all the powers and duties granted to it as provided for in Chapter 89, RSMo., or as amended. (Ord. No. 1604 §1, 1-8-04; Erata Sheet Revision, Page 3)

SECTION 400.400: BOARD OF ADJUSTMENT

- A. *Appointment, Vacancies, And Organization.*
1. *A Board of Adjustment is hereby established.* The Board shall consist of five (5) members who shall be residents appointed by the Mayor and approved by the Board of Aldermen and shall serve for a term of five (5) years. Three (3) alternates may also be appointed to serve in the absence of, or the disqualification of, the regular members. The term of alternates shall be the same as that of regular Board members. Vacancies shall be filled for the unexpired term of any member or alternate whose term becomes vacant.

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2. *Chairman:* The Board shall elect its own Chairman who shall serve for one (1) year.
3. *Rules & Regulations:* The Board shall adopt from time to time such rules and regulations as it deems necessary to carry into effect the provisions of this Chapter.
4. *Meetings:* Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Prior to any Board hearing at least fifteen (15) days' public notice shall be given in a newspaper of general circulation in the City. The Chairman may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. The Board shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be public record. All testimony, objections thereto, and rulings thereon shall be taken down by a reporter employed by the Board for that purpose.
5. *Powers and limitations of Board—hearings, notice.* On those matters referred to under Subsections C(2) and C(3) hereafter, the Board shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in the City.

B. *Appeals.*

1. Appeals to the Board may be taken by any person aggrieved, any neighborhood organization as defined in Section 32.105, RSMo., representing such person, or by any officer, department, board, or bureau of the City of Woodson Terrace affected by any decision of any administrative officer under this ordinance. Such appeal shall be taken within thirty (30) days by filing with the Director of Economic Development and with the Board a notice of appeal specifying the grounds thereof. A fee of three hundred dollars (\$300.00) plus any out-of-pocket costs incurred by the City shall be paid to the City Clerk of the City of Woodson Terrace at the time the appeal is filed.
2. The Director of Economic Development shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed is taken.
3. An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative officer certifies to the Board, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed unless by a restraining order which may be granted by the Board or by a Court of Record on application or notice to the administrative officer and on due cause shown.
4. The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereon, as well as due notice to the parties in interest, and decide the same within a reasonable time. During the hearing, any party may appear in person, by agent or by attorney and shall have an opportunity to present evidence and be heard on the matter.

C. *Jurisdiction of the Board.* The Board of Adjustment shall have the following duties and powers:

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1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative officer in the enforcement of this Chapter.
 2. To hear and decide all matters referred to it or upon which it is required to pass under the provision of this Section or under State law.
 3. To permit the extension of a district where the boundary line of a district divides a lot in a single ownership at the time of the passage of this Chapter.
 4. To interpret the provisions of this Chapter in such a way as to carry out the intent and purpose of said document.
- D. *Filing and Submission Requirements.* An application for variance shall be filed in the office of the Public Works Director who, after determining that the application contains all the information required and that all applicable fees have been paid, shall forward the application to the Board of Adjustment. The application shall contain the following information as well as such additional information as the Board of Adjustment may prescribe by regulation filed with the City Clerk:
1. The particular requirements of this Chapter which prevent the proposed use or construction;
 2. The characteristics of the subject property which prevent compliance with the requirements of this Chapter;
 3. The particular hardship which would result if the particular requirements of this Chapter were strictly applied to the subject property; and
 4. The reduction of the minimum requirements of this Chapter which would be necessary to permit the proposed use of construction.
- E. *Standards for Variance.* The Board of Adjustment shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based on the particular evidence presented to it that support the following conclusions:
1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant;
 2. The granting of a variance will not adversely affect the right of adjacent property owners or residents;
 3. The strict application of the provisions of this Chapter from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 4. Granting the variance will not adversely affect the public health, safety, order, convenience or general welfare of the community; and
 5. Granting the variance desired will not violate the general spirit and intent of this Chapter.
 6. The existence of any present non-conformity anywhere in the City shall not itself be considered grounds for the issuance of a variance for other property.
- F. *Review Consideration Standard.* In considering all appeals and all proposed variations to this Chapter, the Board shall, before making any finding in a specific case, first determine that the proposed variation will not constitute any change in the Zoning Map, unless herein provided by this Section, and will not impair an adequate supply of light and air to adjacent property; or unreasonably increase the congestion in public streets; or increase the public danger of fire and safety; or diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, comfort, morals, and welfare of the City. However, no variance shall be

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authorized unless the Board of Adjustment determines, after public hearing notice and hearing pursuant to Section 400.440, that the requirements set forth in this Chapter have been satisfied.

G. *Board May Reverse, Affirm, Or Modify An Order, Requirement, Decision Or Determination.* In exercising the above mentioned powers, the Board may, in conformity with the provisions of the law, reverse or affirm wholly or partly; or may modify the order, requirement, decision, or determination appealed from; and may make such order, requirement, decision, or determination as should be made; and to that end shall have all the powers of the Director of Economic Development.

H. *Votes Necessary To Reverse Order, Requirement, Decision, Or Determination.*

1. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Director of Economic Development; to decide in favor of the applicant on any matter upon which it is required to pass under this Chapter; or to effect any variation in the application of this Chapter.
2. Any variation granted or denied by the Board shall not be effective until after a written finding of the fact specifying the reason for granting or denying such variation are adopted by the Board and filed with the City Clerk.

I. *Appeal To Circuit Court.*

1. Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, any neighborhood organization as defined in Section 32.105, RSMo., representing such person or persons or any officer, department, board or bureau of the municipality, may present to the Circuit Court of St. Louis County, Missouri, a petition duly verified. Said petition shall set forth that such decision is illegal, in whole or in part, and specify the grounds of its illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision with the City Clerk.
2. Upon presentation of such petition, the court may allow a writ of certiorari directed to the Board to review such decision of the Board and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney. This time shall not be less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board, and on due cause shown, grant a restraining order.
3. The Board shall not be required to return the original papers acted upon by it; but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
4. If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his/her findings of fact and conclusions of law. These facts and conclusions shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
5. Costs shall not be allowed against the Board unless it shall appear to the court that it acted with gross negligence, in bad faith, or with malice in making the decision appealed from. (Ord. No. 728 Art. I §Z-25, 5-16-74)

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ARTICLE IX. ADMINISTRATION

SECTION 400.410: DEVELOPMENT REVIEW

- A. *Administrative approval for single-family uses:* When a single-family detached residential dwelling and/or an accessory building to a single-family dwelling is to be constructed, converted, reconstructed, or structurally altered within a subdivision previously approved by the Board of Aldermen or upon a lot of record, no building permit shall be issued for the development without the approval of the Director of Economic Development and/or the Director of Public Works as to the conformance of said modification to all pertinent Sections of this Chapter. Approval of the Planning Commission is not required for these uses. (Ord. No. 728 Art. I §Z-20, 5-16-74)
- B. *Multi-family and Non-Residential Construction:* The construction of a new commercial or multi-family building shall require review and approval by the Planning Commission for the adequacy of the internal on-site and external street circulation system, the design of the proposed landscaping and parking areas, and conformance with this Chapter.
- C. *Development Plan:* A development plan shall be required for all new multi-family and non-residential structures and substantial renovation thereto. The owner or owner's representative shall submit three (3) copies of the development plan reflecting the nature of the proposed development or redevelopment to the Director of Economic Development for Planning Commission review and approval for permitted uses. Development involving a conditional use permit (Section 400.420), rezoning (Section 400.430) or planned overlay (Section 400.200) shall be reviewed and approved pursuant to the applicable review procedures and requirements. In order to assure the fullest practicable presentation of facts for analysis and for the permanent record, the Planning Commission may prescribe additional data and information from the applicant. Required information shall include, but need not be limited to:
1. A site plan showing existing and proposed uses and structures, including setbacks, easements and zoning of the site and adjacent parcels.
 2. Existing and proposed contours at intervals of two (2) feet or less referred to sea level datum.
 3. Location of all isolated trees, having a diameter of six (6) inches or more, and all tree masses.
 4. Proposed ingress and egress to the site, including on-site parking areas, stalls, loading areas and adjacent streets.
 5. Bicycle and Pedestrian access to the site from public sidewalks or streets.
 6. Proposed landscaping, including type and size of planting and fencing.
 7. Two (2) section profiles through the site showing preliminary building form and mass.
 8. Any additional information as determined by the Director of Economic Development or Director of Public Works.
- D. *Final Development Plan:* No building shall hereafter be constructed, reconstructed or altered nor shall any such work be started until a final development plan for the project has been approved in accordance with this Chapter and a building permit for the work has been issued. Notwithstanding this requirement, the Director of Economic Development has discretion to allow, without requiring any final development plan, construction, reconstruction or alterations of any single, detached residential structure consisting of no more than four (4) dwelling units, so long as such proposed construction is otherwise in compliance with all applicable laws, ordinances, rules and regulations.

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- E. *Director of Economic Development/commission review--when.* The Zoning Officer shall conduct the final development plan review if the proposed improvements shown on the final development plan do not involve any resubdivision, rezoning, conditional use or variance in order to complete the proposed improvements in accordance with this Chapter. In all other instances, the Zoning Officer shall first determine that application and submission requirements are satisfied and, if so, then forward the application to the Commission for its review.
1. After review and approval of the final development plan by the Planning Commission, a copy of the final development plan shall be recorded by the developer with the office of St. Louis County Recorder of Deeds. The plan shall be accompanied by the conditions and restrictions of the ordinance authorizing the development.
 2. If substantial construction or development authorized by the conditional use permit or planned development permit does not begin within the period of time specified in the conditions of the ordinance authorizing the development, the Board of Aldermen may, on its own motion or on a recommendation of the Planning Commission, rezone the property or any portion thereof to the zoning district classification that prevailed prior to the approval; rescind approval of the subdivision, recommend to the Board of Adjustment that the variance be revoked; or, if applicable, void the conditional use permit authorizing the development; or all, if applicable. A public hearing is not required for this rezoning and/or voiding; however, the owner shall be notified by the Board of Aldermen of the proposed rezoning and/or voiding prior to the introduction of any bill for said rezoning and/or voiding.
 3. After the recording of a final development plan, changes not inconsistent with the purpose or intent of this Chapter may be approved by the Planning Commission. Changes affecting the purpose, intent, or concept of this Chapter, or the final development plan, shall require a new application to be filed with the Board of Aldermen.
 4. In the event of an abandonment of a use authorized pursuant to a conditional use or planned development permit, such permit shall expire and be of no further force and effect. Upon such expiration, no such use may be resumed without the filing of a new application therefor with the Board of Aldermen. The term "abandonment" shall be deemed to have the same meaning set forth in this Chapter.
- F. *Subsequent Application.* Upon the grant or denial by the Board of Aldermen of an application for a conditional use permit, planned development overlay, and/or a zoning change, no subsequent application requesting a conditional use permit, planned development permit, and/or a rezoning, with reference to the same property or part thereof, shall be filed by any applicant, whether the same person, firm, or corporation, until expiration of twelve (12) months after the final denial or grant. Unless otherwise stated at the time of approval of an ordinance authorizing a development, substantial work or construction must be commenced within one (1) year or the approval shall automatically be void.
- G. *Building Permit:* Upon approval of the submitted or revised development plan by the Planning Commission, application for building permits and certificates of occupancy may take place at the office of the Director of Economic Development.
- H. *Improvements:* No building, facilities, establishments, or service concerns may occupy or use any portion of the subject tract until the required improvements are constructed or a performance bond and/or escrow is posted covering construction of improvements as determined by the Planning Commission. If the development is to occur in sections, all improvements necessary to the proper operation and functioning of the section, even though same may be located outside the section, must be constructed and installed or a performance bond and/or escrow agreement posted covering

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the estimated cost of improvements as determined by the Planning Commission.

- I. *Joint Ownership.* Where this Chapter permits or requires an act on the part of an "owner" or "landowner," and a particular lot or tract of land is owned by several persons, whether in joint tenancy, tenancy in common, partnership, joint venture or other form of joint ownership, the act shall be taken on behalf of, and with the express written consent of, all such persons, which written consent shall be provided to the City.

SECTION 400.420: CONDITIONAL USE PERMITS

- A. *Intent and Purpose:* It is hereby declared that certain land uses and developments present unique problems with respect to their proper location and relationships to other land uses. Therefore, analysis and judgment of the consequences of each development and use is necessary to preserve and promote the public health, safety, and general welfare. The purpose of conditional use permits is to provide the City with a procedure for determining the appropriateness of such uses. The appropriateness of the use shall be determined in consideration of surrounding uses, activities and conditions of the site and of surrounding area. Based upon this determination, the City may decide to permit, reject or conditionally permit the use for which the conditional use is sought.
- B. *Authorization:* The Board of Aldermen is hereby authorized to decide whether conditional use permits shall be granted subject to the standards contained herein; to grant conditional use permits with such conditions or restrictions as are appropriate to protect the public interest and to secure compliance with these regulations; and to deny requests which fail to satisfy the standards and requirements contained herein and which are not in harmony with the purposes and interest of these regulations and the health, safety, and welfare of the community. The Board of Aldermen shall decide whether conditional use permits shall be granted only after having received a recommendation from the Planning and Zoning Commission.
- C. *Application:* Applications and preliminary development plans for conditional use permits shall be submitted to the Director of Economic Development for Planning Commission review and Board of Aldermen review and approval. In order to assure the fullest practicable presentation of facts for analysis and for permanent record, the Board of Aldermen may prescribe additional data and information from the applicant. Required information shall be provided in triplicate and shall include, but need not be limited to, the following:
 1. A site plan showing proposed uses and structures.
 2. Existing and proposed contours at intervals of two (2) feet or less referred to sea level datum.
 3. Location of all isolated trees, having a diameter of six (6) inches or more, and all tree masses.
 4. Proposed ingress and egress to the site, including on-site parking areas and adjacent streets.
 5. Proposed landscaping, including type and size of planting and fencing.
 6. Two (2) section profiles through the site showing the preliminary building form and mass.
 7. Each application shall be verified by at least one (1) of the owners or authorized representatives of the owners of the subject property attesting to the truth and correctness of all facts and information presented with the application.
- D. *Review procedures:* Upon receipt of a complete application for conditional use permit and all accompanying material, the Director of Economic Development shall call a public hearing, pursuant to Section 400.440, for the next scheduled meeting of the Planning and Zoning Commission. The Planning and Zoning Commission shall submit a recommendation to the Board

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of Aldermen within 30 days after the close of the public hearing. No application for a conditional use permit may be approved by the Board of Aldermen until such hearing is held and a written recommendation with a report of findings of fact is filed with the Board of Aldermen by the Commission.

- E. *Standards for conditional use approval:* Upon receipt of the Planning Commission's recommendation, the Board of Aldermen shall schedule a public hearing pursuant to Section 400.440. At the hearing, the Board shall hear and consider evidence relating to the standards set out below. At the conclusion of the public hearing, the Board shall adopt findings of fact as part of its decision to grant, grant with conditions, or deny the permit. No conditional use shall be recommended by the Commission unless written findings of fact based directly on the particular evidence presented to it supports said recommendation. The written findings of fact shall respond in the affirmative to the following standards and include a written description responded to each.
- a. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
 - b. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
 - c. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.
 - e. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - f. The conditional use conforms to the applicable regulations of this Ordinance, the Comprehensive Plan and other applicable City regulations, except as such regulations may in each instance be modified by the Board of Aldermen, pursuant to the recommendation of the Planning and Zoning Commission.

The Planning Commission and Board of Aldermen shall review and consider any and all formal written protest pertaining to the proposed conditional use, in accordance with Section 4(a-f), and the protests shall be substantiated on a factual basis.

- F. *Conditions of approval and restriction.* In approving a conditional use permit application, the Board of Aldermen may impose conditions and restrictions as necessary to assure that the standards of Section 400.420 (E) are complied with and the general intent of this Title is effectuated. The Board of Aldermen in approving a condition use permit may specify that any future enlargement or alteration in the use of the structure or suite must be approved by the Board of Aldermen, upon receipt of the recommendation by the Planning Commission, as an amendment to the conditional use permit before a building permit for the enlargement or alteration may be issued. In addition, the Board of Aldermen may require a final development plan in conjunction with any application for or amendment of any conditional use permit. Failure to comply with any of the Board of Aldermen's conditions or restrictions shall constitute a violation of this Chapter punishable by revocation of the conditional use permit or as provided in Section 400.470 of this Chapter.
- G. *Transferability:* All conditional use permits shall be approved for the originating applicant for a specific location. Should title to the property be transferred to a different owner, a renewal of the original conditional use permit shall be required prior to issuing a new business license, pursuant to the requirements herein. Additionally, conditional use permits may not be transferred to any other

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location by the applicant.

H. *Revocation.* Revocation proceedings may be initiated by the Board of Aldermen in accordance with the following provisions:

1. Unless the conditional use permit holder and the landowner agree in writing that the permit may be revoked, the Board of Aldermen shall hold a public hearing to consider the revocation of the conditional use permit.
2. The City shall give the permit holder and the landowner notice of the scheduled revocation hearing at least fifteen (15) days prior to the date scheduled for such hearing by certified mail, return receipt requested. If such notice cannot be delivered or is not accepted, notice may be given by publishing a notice of hearing in a newspaper of general circulation in the City or by posting a notice of hearing on the property at least fifteen (15) days prior to the date scheduled for the hearing.
3. The public hearing shall be conducted in accordance with rules and procedures established by the Board of Aldermen. At the conclusion of the public hearing, the Board may render its decision or take the matter under advisement.
4. No conditional use permit shall be revoked unless a majority of the Board of Aldermen is satisfied by a preponderance of the evidence that its grounds for revocation exist, such as a violation of a condition of the permit or violation of other City ordinance. Any motion for the revocation or a conditional use permit shall clearly state the grounds for revocation.

I. The following land uses shall be allowed in all zoning districts upon compliance with the ordinances of the City of Woodson Terrace and the provisions of this Section.

1. Parabolic television antennas, also known as satellite earth stations or "dish", more than twenty-four (24) inches in diameter or installed higher than the highest point of the roof of any lawful structure located on the lot or lots occupied by the building served by such antenna. If any parabolic television antennae are or will be observable from a public street, then shielding, as approved by the Board of Aldermen on a conditional use permit, shall be required. Any shielding required shall conform to the architectural style of the building and shall be of permanent type construction. The number of parabolic television antennas permitted under this provision is limited to one (1) antenna per building and is applicable to all zoning districts within the City.
2. A new land use of residential or outpatient facilities for treatment of alcohol and other drug abuse. (Ord. No. 728 Art. I §Z-21, 5-16-74; Erata Sheet Revision, Page 3; Ord. No. 857 §1, 3-21-78; Ord. No. 1065 §1, 3-21-85; Ord. No. 1246 §1, 6-20-91)

SECTION 400.430: AMENDMENTS TO ZONING REGULATIONS & MAP

A. *When there may be an amendment:* The regulations, restrictions and boundaries contained in this Chapter may from time to time be amended, supplemented, changed, modified or repealed by the Board of Aldermen either on its own motion or on written application therefore filed with the Director of Economic Development on behalf of the Board of Aldermen by the Mayor, any member of the Board, the Commission, the Director of Economic Development or by any governmental body or person with a financial, contractual or proprietary interest in the real estate which would be affected by the proposed amendment.

B. *Application and submission requirements:* An application for either a text amendment or an amendment in the nature of a rezoning shall be submitted on a form containing such information

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and materials as may be required by the Director of Economic Development, the Commission or the Board of Aldermen. The application shall be signed by the owner or the affected real estate or the authorized representative of such owner and shall contain the following initial information, in addition to that which the Director of Economic Development, the Planning Commission or the Board of Aldermen may determine in each particular case is required:

1. *Text amendment:* If the text of this Chapter is proposed to be amended, the application shall set forth the proposed new text to be added and existing text to be deleted.
 2. *Rezoning-development plan.* If the location of all or any part of the existing zoning districts are to be changed, then the application shall include the submission of ten (10) copies of a preliminary development plan as set forth in Section 400.410 (C), including legal description of the affected real estate sealed by a licensed land surveyor.
 3. If the application is signed by a representative of the owner of the affected real estate, it shall be accompanied by a written, notarized statement of the real estate owner designating the representative to sign for the real estate owner.
 4. The name, address and phone number of the applicant.
 5. Applicant's interest in the property and if the applicant is not the owner, the name, address and phone number of the owner(s).
 6. Locator numbers of all property shown on the plat or survey.
 7. Present and proposed zoning.
 8. Signature(s) of applicants and owner(s) certifying the accuracy of the required information.
- C. Application review procedures.
1. *Director of Economic Development.* The Director of Economic Development shall receive the application and associated development plan (if a rezoning request) on behalf of the Board of Aldermen and determine whether it complies with all initial submission requirements. If the application does not comply with all initial submission requirements, the Director of Economic Development shall take no action with respect thereto, except that within a reasonable time after submission, return the application to the applicant with a written list of the deficiencies in the application. If the application is determined by the Director of Economic Development to be in compliance with initial submission requirements, then the Director of Economic Development shall provide copies of the application to those officers and contractors in and with the City and St. Louis County from whom review and report are necessary in order for the Director of Economic Development to make his/her report to the Commission, including, but not limited to, the Fire Chief, Police Chief, the Building Commissioner and the Public Works Director, the City Attorney and planning and zoning consultants or contractors. After obtaining the necessary reports, the Director of Economic Development shall prepare and transmit a report to the Commission containing his/her recommendations concerning the application and the reasons therefore in light of the terms of this Chapter, the Comprehensive Plan and prudent planning and zoning concerns.
 2. *Commission hearing.* Upon receipt of the Director of Economic Development's report on the application, the Commission shall hold a public hearing on the application, after public notice thereof pursuant to Section 400.440 and duly published according to law. After such public hearing the Commission shall make its final report to the Board of Aldermen, either recommending or not recommending that the relief sought in the application be granted. The Director of Economic Development shall forward copies of the application and all submittals incident thereto, the Director of Economic Development's report thereon and the Commission's

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recommendation and report (if any) thereon (collectively "application package") to the Board of Aldermen.

3. *Board of Aldermen.*

a. Upon receipt by the Board of Aldermen of the application package from the Director of Economic Development, the Board of Aldermen shall conduct a public hearing thereon. Public notice shall be given no less than fifteen (15) days prior to such hearing. All owners of property within the area of the proposed change (if any) and all owners of property within the surrounding area shall be given personal notice of the hearing by mail as provided in Section 400.430 of this Chapter.

b. In the event that the owners of thirty percent (30%) or more of the areas of land (not including streets and alleys) included either in the proposed area of change or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the district proposed to be changed protest in writing, duly signed and acknowledged, to the proposed change, no such amendment shall become effective except upon the favorable vote of two-thirds (2/3) of all the members of the Board of Aldermen. Otherwise, it shall take an affirmative vote of fifty-one percent (51%) of the Board of Aldermen to approve any proposed application (the same vote required to pass an ordinance).

D. *Rezoning--final development plan approval.* After approval of the application for rezoning and before any permit is issued by the City for any construction, reconstruction, alteration or other development of the subject property, the applicant shall comply with the requirements for development plan review as set forth in Section 400.410.

E. *Annexation.* All territory that may be annexed by the City after the effective date of this Chapter shall be zoned as follows:

1. *No previous zoning ordinance in effect.* If at the time of annexation the newly annexed land is not subject to a valid zoning ordinance duly imposed by a properly authorized governmental subdivision of the State, the City shall in due course and in accordance with law adopt zoning regulations for the annexed territory.

2. *Pre-existing zoning ordinances in effect.* If at the time of annexation the newly annexed land is subject to a valid zoning ordinance duly imposed by a properly authorized governmental subdivision of the State, upon annexation such annexed land shall remain subject to the zoning regulations in effect prior to annexation until such time as the City shall adopt zoning regulations for the annexed territory.

F. *Fee Schedule.* Prior to any action by the Board of Aldermen relative to any amendment, supplement, or modification to this Chapter initiated by petition, the petitioner for said amendment, supplement, change, or modification of the boundaries or regulations of any district shall deposit with the City Clerk the sum of money in accordance with the following schedule:

1. When the area involved is less than one (1) acre - \$250.00

2. When the area involved is at least one (1) acre, but less than five (5) acres- \$500.00

3. When the area involved is five (5) acres or more - \$500.00, plus \$5.00 for each acre or fraction thereof over 5 acres with a maximum of \$1,000.00

4. No fee shall be required in the event the rezoning of property is initiated by the Board of Aldermen, the Planning Commission or other City Official on behalf of the City.

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SECTION 400.440: PUBLIC HEARING & NOTICE

Notice and Hearings. Whenever the provisions of this Chapter require notice and hearing, the following procedures herein shall govern:

- A. *Time of Publication & Content:* Publication in a newspaper printed or published in the City of Woodson Terrace. However, if no newspaper be printed or published in the City, then said notice shall be published in some daily, tri-weekly, semi-weekly, or weekly newspaper of general circulation in the City. Publication shall commence not more than thirty (30) nor less than fifteen (15) days before the hearing date. Every affidavit to proof of publication shall state that said publication and the newspaper in which notice was published has met the requirements of the foregoing provisions and those of Chapter 493, RSMo., governing legal publications, notice and advertisement. Notice shall contain, in addition to the legal description of the parcel of land, the approximate street location, or address when possible; the name of the applicant; the present district classification; the zoning district classification sought, if applicable; and the proposed use of the tract.
- B. *Posting Notice:* In addition to publishing notice, the Director of Economic Development shall post notice, consisting of the same information as required in paragraph (1), on the subject property or its immediate vicinity, as well as at the City Hall of the City of Pacific. Notice shall be posted at least fifteen (15) calendar days prior to the public hearing at points nearest to the rights-of-way of any street or roadway abutting such land so as to be clearly visible to the traveling public. The notice, as posted, shall contain a caption in large letters stating the nature of the proposed action.
- C. *Notification of neighboring landowners:* The applicant shall make a good faith effort to mail notice, consisting of the same information as required for publication in paragraph (1), to all landowners of record within one hundred eighty-five (185) feet from each legal boundary of the subject property. This notice shall be sent by certified mail at applicant's expense. The applicant shall provide to the Director of Economic Development no less than seven (7) days prior to the public hearing receipts of the certified mailing. The Director of Economic Development shall verify the accuracy of the receipts and compliance with the ordinance. Failure to submit receipts on time shall automatically continue the hearing to the next hearing date. The submission of said receipts shall serve proof of the applicant's good faith effort to provide additional notice to the adjacent property owners. In addition to the receipts, the applicant shall provide the Director of Economic Development with a map showing the subject property and any neighboring properties affected under this paragraph along with the locator numbers of each property shown. All applicants shall be required to sign a form, attached to the application, that they have read and understand these notification requirements. For any subsequent required public hearings, the applicant shall provide to the Director of Economic Development the notification letters properly sealed in an envelope, addressed to the property owners within one hundred eighty-five (185) feet and with the proper postage attached to be sent regular mail. The Director of Economic Development shall then review the envelopes with the list of property owners to verify that applicant has made a good faith attempt to notify said property owners.
- D. *Record of proceeding.* The Director of Economic Development shall provide for maintaining a record of the hearing and for taking statements, evidence and testimony.
- E. *Minimum notice:* Failure to comply with any additional notice or posting requirements herein which are greater than required by State law shall not be a basis for invalidation of any approval or enactment.

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SECTION 400.450: BUILDING AND OCCUPANCY PERMITS

A. *Building Permits.*

1. No building shall hereafter be erected, constructed, or structurally altered, or remodeled; nor shall any work be started thereon until a building permit therefore has been issued by the Director of Public Works and/or the Director of Economic Development which shall state that the proposed building complies with all relevant provisions of this Chapter and "the Building Code".
2. Applications for building permits for developments which require Planning Commission or Board of Aldermen approval shall be accompanied by a copy of the approved drawing or plat, in duplicate, showing the lot plan; the location of the building on the lot; accurate dimensions of building and lot; a drawing showing a section through the proposed improvement which shows the type of construction and materials to be used; the total cost of the proposed improvements and such other information as may be necessary to provide for the enforcement of these regulations. If the subject lot is not a lot of record, this plat shall be prepared after the lot has been staked by a licensed surveyor or engineer.

B. *Occupancy Permits, General.*

1. No vacant land shall be occupied or used, and no building hereafter erected, structurally altered, or vacated shall be occupied or used until a certificate of occupancy shall have been issued by the Director of Public Works and/or the Director of Economic Development.
2. No occupancy permit shall be issued unless the building or proposed use of a building or land complies with all relevant development, construction and building laws, health laws, and City ordinances, and is in compliance with the provisions of this Chapter.
3. No occupancy permit shall be issued for any structure unless all driveways on the premises are paved and until all major cracks and other defects in any paved driveway are properly repaired. Temporary occupancy may be granted for driveway repairs.
4. No occupancy permit shall be issued unless the current tenant and owner's address and contact information, including current phone number, is on file with the application.
5. All conditions relating to or limiting the use, status, or operation of the development after the issuance of a building permit shall be posted in a conspicuous public place on the premises for at least fifteen (15) days prior to the issuance of an occupancy permit. As long as a substantial part of the development remains in single ownership, or ownership of any part of the property is retained or held by the developer or by trustees with duties imposed by this Chapter or by conditions imposed under authority hereof, such person or persons shall maintain such list of conditions in a conspicuous place, and failure to do so shall constitute a violation of this Chapter.
6. *Certificate of occupancy for a building or land.*
 - a. A certificate of occupancy for a new building, alteration of an existing building, or a vacated building may be applied for in writing to the Director of Economic Development coincident with an application for a building permit should both coincide. Said occupancy certificate shall be issued within five (5) days after the erection, alteration, and/or inspection of such building or part thereof shall have been completed in conformity with the provisions of these regulations.
 - b. Pending the issuance of a regular occupancy certificate, the Director of Public Works and/or the Director of Economic Development may issue a temporary certificate of occupancy for a

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period not exceeding six (6) months while the completion of alterations is occurring or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed to alter in any way the respective rights, duties, or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Chapter and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

- c. No merchants nor operating license shall hereafter be granted to any applicant nor shall any license hereafter be renewed until a certificate of occupancy has been granted the applicant of such license.
- d. Certificate of occupancy for the use of vacant land or the change in the character of the use of land, as herein provided, shall be applied for to the Director of Economic Development before any such land shall be occupied or used. Provided such use is in conformity with the provisions of this Chapter, a certificate of occupancy shall be issued within five (5) days after the application has been made

C. Fees.

- a. Except as otherwise specifically provided hereafter all such fees as required by this Section shall be collected by the Director of Economic Development or Director of Public Works and deposited with the City Collector.
- b. The fee for a building permit for the construction, reconstruction, or alteration of a building involving an expenditure of one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) shall be five dollars (\$5.00) and two dollars (\$2.00) for each additional one thousand dollars (\$1,000.00) or fraction thereof.
- c. The fee for an occupancy permit for the use of land or a building shall be ten dollars (\$10.00).
- d. *Subdivision review fees.*
 - a. *Pre-application conference.* There shall be no fee for a pre-application conference.
 - b. *Preliminary subdivision plat filing/review fee.* There shall be a four hundred dollar (\$400.00) filing fee accompanying the submission of a proposed preliminary plat, except where previously reviewed under the Conditional procedure Section of the Zoning Ordinance of the City of Woodson Terrace, in which case there shall be no fee. There shall be a one hundred dollar (\$100.00) filing fee for a minor subdivision plat.
 - c. *Final subdivision plat.* There shall be a twenty dollar (\$20.00) per lot or unit (whichever is greater) subdivision permit fee accompanying the submission of a proposed final subdivision plat. There shall be an additional subdivision permit fee accompanying the submission of a proposed final subdivision plat for a non-residential subdivision. Said fee shall be seventy-five dollars (\$75.00) per acre for the first twenty (20) acres; an additional sixty-five dollars (\$65.00) per acre for each acre over twenty (20) up to one hundred (100) acres; and thirty-five dollar (\$35.00) per acre fee for each acre over one hundred (100) up to two hundred (200) acres. There shall be no additional fee for applications for tracts in excess of 200 acres.
 - d. *Display house permit fee.* There shall be a one hundred fifty dollar (\$150.00) filing fee plus a seventy-five dollar (\$75.00) per house fee accompanying the submission of a display house plat.
 - e. *Boundary adjustment plat.* There shall be a one hundred fifty dollar (\$150.00) filing fee accompanying the submission of a boundary adjustment plat.

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- f. *Vacation plat.* There shall be a one hundred fifty dollar (\$150.00) filing fee accompanying the submission of a vacation plat.
- g. *Variance fee.* There shall be a seventy-five dollar (\$75.00) review fee accompanying the application for a variance to the Subdivision Code.
- h. *Improvement inspection fee.* The City Clerk shall collect inspection fees for the account of the City of Woodson Terrace as per the following paragraph: Before any final subdivision plat shall be approved by the Planning and Zoning Commission, the subdivider or owner or his/her agent shall pay the City of Woodson Terrace a fee for services in connection for the consideration and approval of the plat and for the inspections of the improvements to be installed in the subdivision, at the rate of two percent (2%) of the first three thousand dollars (\$3,000.00) of the estimated cost of construction of streets, storm sewers, sanitary sewers and appurtenances thereto and other improvements as fixed for the purpose of the subdivision, if any, or if none, then of the actual cost of such streets, storm sewers, sanitary sewers, appurtenances and other improvements as calculated by the Director of Public Works, and one and one-half percent (1.5%) on the next three thousand dollars (\$3,000.00) of such estimated or actual cost, and one and one-half percent (1.5%) on the cost in excess of six thousand dollars (\$6,000.00), provided however, that in no case shall the fee be less than fifty dollars (\$50.00). Notwithstanding any other provision to the contrary, the City shall not escrow funds for MSD maintained sewers, but the City will require an escrow for retention and detention facilities and appurtenances which are part of the complete sewer system.
- i. *Review processing deposit.*
 - (1) A review processing deposit, in the amount of two thousand dollars (\$2,000.00), shall be paid into the City by the applicant at the time the preliminary plat is filed with the Planning and Zoning Commission. Processing and all other actions related to the subdivision shall not proceed until the deposit is paid in full. The deposit is for the purpose of providing funds for professional consulting costs incurred by the City incidental to the processing of plats. Any professional consulting costs or expenses incurred by the City as a result of the review process as set out in the Subdivision Code shall be paid out of said deposited amount. Said professional consulting costs or expenses incurred by the City, to be deducted from said deposit, shall be determined by the City Clerk from specific billings submitted to the City by the consulting professionals.
 - (2) If at any time during the processing of the subdivision application it appears that the review processing deposit is insufficient to reimburse the City for all such professional consulting expenses incurred or to be incurred, the City Clerk shall present to the subdivider a listing of all such actual and anticipated costs or expenses and shall notify the subdivider of any additional cost assessment necessary for the completion of the subdivision process. The subdivider shall remit the additional amount to the City within ten (10) days of the date of the City Clerk's notice, or within such additional time as may be allowed by the Planning and Zoning Commission. Processing and all other actions related to the subdivision, including final determination or disposition, shall not proceed until such additional cost assessment is paid in full. Failure to remit the additional cost assessment shall be grounds for denial of the preliminary or final plat by the Planning and Zoning Commission.
 - (3) Within thirty (30) days from the final determination or disposition by the City of any subdivision plat, at whatever stage that may occur, the City Clerk shall present to the

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subdivider a listing of all deposits, costs and expenses. Any portion of said deposited monies not expended or budgeted for expenditures shall be returned to the subdivider at that time. Conversely, if the processing cost deposit is insufficient to reimburse the City for incurred professional consulting expenses, the subdivider, within ten (10) days of receipt of the City Clerk's accounting, shall remit additional funds for complete reimbursement of the City's professional consulting costs.

(4) The deposit required herein shall be separate from, and is not intended to include, any building or improvement or any other permit or inspection fees or any escrow monitoring fees.

j. *Additional fees.* In addition to all fees provided for herein, the subdivider shall pay for and arrange for inspections by other departments or agencies as may be required by other ordinances and regulations of the City and pay for any and all recording fees.

5. *Plan review when public hearing under conditional use permit is requested.*

a. *Site plan review fee.* There shall be a five hundred dollar (\$500.00) fee for a site plan review to accompany a submission of a site plan.

b. *Conditional use hearing fee.* There shall be a three hundred dollar (\$300.00) fee for a hearing for an application for a conditional use permit to be used to reimburse the City for publication, mailing and miscellaneous costs.

D. *Permit Records.* A record of all permits shall be kept on file in the office of the Director of Economic Development. (Ord. No. 728 Art. I §Z-22, 5-16-74; Erata Sheet Revision, Page 3; Ord. No. 1334 §1, 12-8-94; Ord. No. 1451 §1, 4-28-98; Ord. No. 1789 §§1–2, 8-27-10).

SECTION 400.460: ENFORCEMENT

A. It shall be the duty of the Director of Economic Development to enforce the provisions of this Chapter. The Board of Aldermen may deputize one (1) or more additional members of his/her staff, as well as members of other City departments who have a particular skill or competence to act for the Director of Economic Development. The term "Director of Economic Development" as used elsewhere in this Chapter shall be deemed to include such deputies.

B. The Director of Economic Development shall enforce the provisions of this Chapter by authorizing the issuance of building permits and occupancy permits. By means of field inspections and other activities delineated herein, he/she shall ensure conformance with this Chapter. He/she shall maintain a list and file of all non-conforming uses and developments which are subject to the provisions of Section 400.170 of this Chapter. With the advice of the City Attorney, the Director of Economic Development shall take appropriate action to assure that all uses and developments within the City limits comply with this Chapter and any ruling made pursuant thereto. The Director of Economic Development is authorized to inspect or cause to be inspected any building or other structure or any land on which work is in progress and to order the stoppage of work being done in violation of this Chapter. He/she shall inspect, or cause to be inspected, such premises after work is completed and shall not authorize the issuance of any occupancy permit until final inspection has been made.

C. The Director of Economic Development shall have the power to adopt such administrative regulations as he/she deems necessary to the carrying out of his/her enforcement responsibilities. These regulations shall have general applicability to cases of similar character.

D. No building, structure, or part thereof shall hereafter be erected, constructed, or enlarged; nor shall

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any building, structure, or part thereof be hereafter occupied or used in any case of establishment of a new use, extension, or alteration of cause; or converted from one use to another use until the Director of Economic Development authorizes the issuance of a proper permit. However, no permit shall be required for the raising of agricultural crops or orchards.

- E. No building, structure, or part thereof shall be erected, constructed, reconstructed, or enlarged, nor shall such work be started without the issuance of a building permit authorized by the Director of Economic Development. This permit shall state that the construction complies with the provisions of this Chapter.
- F. Except as previously provided, no land shall be occupied or used and no building or structure hereafter erected shall be occupied or used, in whole or in part, for any purpose until occupancy permit is issued. Said permit shall state that the structure and use comply with the provisions of this Chapter. The use of any land, building, structure, or part thereof, now or hereafter erected, shall not be changed until an occupancy permit is issued. No occupancy permit shall be issued for a change in use unless such change is in conformity with the provisions of this Chapter.
- G. The Planning Commission or its authorized representatives and the Director of Economic Development or his/her authorized representatives are hereby empowered, in the performance of their functions, to enter upon any land in the City for the purpose of making inspections, examinations, and surveys or to place and maintain thereon monuments, markers, notices, signs, or placards required to effectuate the purpose and provisions of this Chapter. All authorized representatives shall be required to present proper credentials upon demand when entering upon any land or structure.
- H. The Director of Economic Development, his/her deputies or inspectors may cause the cessation of any erection, construction, reconstruction, alteration, conversion, maintenance, or use in violation of the Zoning Ordinance by posting a stop work or stop use notice on the premises and by notice in writing to the owner of the property involved, or to his/her agents, or to the person doing the work in the case of a stop work order, stating the nature of the violation.
- I. The Director of Economic Development may refer any violation of this Chapter to the City Attorney or Prosecuting Attorney for prosecution or other appropriate action when deemed necessary.
- J. The Police Department shall aid the Director of Economic Development in enforcing this Chapter by posting stop work or stop use notices when requested by the Director of Economic Development. (Ord. No. 728 Art. I §Z-24, 5-16-74)

SECTION 400.470: PENALTIES

The owner or agent of a building or premises in or upon which a violation of any provision of this Chapter has been committed or shall exist; or the lessee or tenant of an entire building or entire premises in or upon which any such violation has been committed or shall exist; or the owner, agent, lessee or tenant of any part of the building or premises in or upon which any such violation has been committed or shall exist; or the agent, architect, building contractor, or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist shall, upon conviction, be punishable by a fine of not less than ten dollars (\$10.00) and not more than two hundred and fifty dollars (\$250.00) or by imprisonment for ten (10) days, or both such fine and imprisonment in the discretion of the court for each and every day that such violation continues. However, if there is a second or subsequent offence involving the same violation at the same building or premises, the punishment shall be a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by imprisonment for ten (10) days for each and every day such violation shall continue, or by both such fine

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and imprisonment in the discretion of the court. Any person who, having been served with an order to remove any such violation, shall fail to comply with such order within ten (10) days after such service, or shall continue to violate any provision of the regulations made under authority of this Chapter in the respect named in such order, shall also be subject to a civil penalty of two hundred fifty dollars (\$250.00).

APPENDIX A: LAND USE TABLE

The Land Use Table provides a tabular summary of the principal land uses allowed within each zoning district. The table is intended for reference and does not necessarily reflect all of the regulations that apply to particular uses or districts.

- A. **Permitted (By-Right):** Uses identified in a zoning district column of the Use Table with a “●” are “permitted by-right” and shall be permitted in such zoning district, subject to all other requirements of this Zoning Ordinance.
- B. **Conditional Uses:** Uses identified in a zoning district column of the Use Table with a “C” are “Conditional Uses” and shall be permitted in such zoning district in accordance with the standards of Section 400.420.
- C. **Unlisted Uses:** Any use not shown as a use permitted by right or a conditional use in a zoning district is specifically prohibited in that district. Uses not listed have been determined either not to be appropriate in any district, incompatible with certain existing uses, or sufficiently rare or unexpected as to be incapable of being listed at the time of adoption of this Code. Any use not shown as a use permitted by right or a conditional use in any zoning district, but constituting a use that is required to be permitted by law, shall be subject to the conditions of the most appropriate underlying district and the following requirements.
1. The use shall be permitted only to the extent required by law to be permitted;
 2. The use shall be approved only as a Conditional Use in the City’s “I” Industrial District, except if by law it is required to be permitted by right;
 3. The use shall be located no closer than 1,000 feet from any residence, residential property, park, school, or church, except as may be modified by the Board of Aldermen through a Conditional Use Permit;
 4. The use shall maintain a distance of at least 1,000 feet from any other such use having the same description, except as may be modified by the Board of Aldermen through a Conditional Use Permit;
- D. ***C-1 and *C-4 Districts (Shell Districts):** As of the adoption of this Chapter, no additional property may be rezoned to the “C-1” Neighborhood Commercial District or “C-4” Retail. All preexisting “C-1” and “C-4” property shall be permitted all lawful uses as of the effective date of this Code. After the effective date of this Code, no additional land shall be rezoned to the “C-1” or “C-4” District. Any proposed subdivisions, including lot splits, change of use, new construction or other alterations not permitted under the respected district regulations shall require rezoning to an applicable zoning district. Use of property maintaining the “C-1” and “C-4” preexisting zoning shall be subject to all other regulations of this Code.

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Use is permitted by right:	•							
Use permitted as a conditional use:	C							
Use not permitted:								
	R-1	R-2	R-3	*C-1	C-2	C-3	*C-4	I
RESIDENTIAL PRINCIPAL USES								
Boarding House (Group Home)	C	C	C					
Dwelling, Loft			•					
Dwelling, Multi-Family ("Apartment")			•					
Dwelling, Single-Family Detached	•	•	•					
Dwelling, Two-Family Attached ("Duplex")		•	•					
Dwelling, Two-Family Attached ("Villa")		•	•					
Dwelling, Over 3 Attached Dwellings (Townhome)			C					
Modular Home	C	C	C					
Nursing Home, Assisted living	C	C	C					
NON-RESIDENTIAL PRINCIPAL USES								
Arts, Crafts and Photo Studio and/or Gallery						•	•	
Antique Sales						•	C	
Automotive Customizing Shop					C	•	•	
Automotive Parts and Supply Store					C	•	•	
Automotive Filling Station (Convenience Store)					C	C		
Automotive Rental Agency- Indoors only					•	•	•	
Automotive Rental Agency					C	C		
Automotive Repair (Body/Paint) Shop & Tire Sales					C	•		
Automotive (Vehicle) Sales- Indoor only					•	•	•	
Automotive (Vehicle) Sales					C			
Automotive Service Station (i.e Jiffy Lube)					C	•		
Automotive Wash Services						C		
Bakeries (Retail)					•	•	•	
Bar, Tavern or Lounge						C		
Barber Shop, Beauty Salon or Spa				C		•	•	
Building Material Sales & Services					C	•		
Bus, Truck & Rail Terminals					C	C		•
Catering Service						•	•	

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Use is permitted by right:	•							
Use permitted as a conditional use:	C							
Use not permitted:								
	R-1	R-2	R-3	*C-1	C-2	C-3	*C-4	I
Cemetery, Crematory, Mausoleum								
Church, Temple or Synagogue	C	C	C	C	C	C		
Clinic-Out Patient (Medical or Dental)					C	•	•	
Club, Civic or Fraternal Organization					C	C		
Co-Branded Structure (Gas, Food Sales, etc.)					C	C	•	
Community Center	•	•	•	•	•	•		
Computer Service & Repair					C	•		
Construction Contractor					C			
Day Care – Adult	C	C	C			•	C	
Day Care/ Child Nursery (Commercial)	C	C	C			•	•	
Day Care/ Child Nursery (Residential)	C	C	C			•	•	
Drug Store (Pharmacy)					•	•	•	
Dry Cleaning & Laundry Pick-up				C	C	C	•	
Dry Cleaning Plant							C	•
Equipment Sales, Rental & Leasing					C	•	•	
Financial Services-banking					C	•	•	
Food/Bakery Product Manufacturing							C	
Foster Homes for Handicapped Children	C	C	C					
Funeral Home, Mortuaries						•		
Furniture, Appliance or Equipment Sales					C	•	•	
Golf, Miniature						C	C	
Greenhouse, Plant Nursery & Garden Supplies					C	•	•	
Grocery Store- Retail					C	C	•	
Hospital					C	C	C	
Health Club, Fitness Center & Gymnasiums						•	•	
Hotel					C	C	C	
Hotel, Extended Stay					C	C	C	
Industrial, Heavy								•

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Use is permitted by right:	•							
Use permitted as a conditional use:	C							
Use not permitted:								
	R-1	R-2	R-3	*C-1	C-2	C-3	*C-4	I
Industrial, Light							C	•
Institution	C	C	C			C		
Kennel (Dog Daycare)						•	•	
Library	C	C	C			C		
Liquor Store						C	C	
Laundromat- self service				C	C	•	•	
Massage Therapist- Therapeutic (licensed)						C	C	
Mini-Warehouse (Self-Storage Facility)							C	•
Night Club, Dance Hall or Private Club						C	C	
Office				C	C	•	•	•
Outpatient Facilities for Treatment of Alcohol and Drug Abuse								C
Park, Playgrounds & Open Space (Public)	•	•	•	•	•	•	•	
Postal, Mail and Coping Services				C	C	•	•	
Printing & Publishing Facility					C	•	•	
Public Facility, Local (Woodson Terrace only)	•	•	•	•	•	•	•	•
Public Facility (Other than Woodson Terrace)	C	C	C	C	C	C	C	•
Recreation Facility or Area (Commercial)					C	•	C	
Repair Services					C	•	C	
Research, Development & Testing Services					C	C	•	•
Restaurant, Fast Food					C	C	•	
Restaurant, General					C	•	•	
Retail Sales & Services				•	•	•	•	
Retreats (religious, educational or not for profit)	C	C	C					
Resale (Consignment) Sales, Thrift Shops						C	•	
Schools (Studios), Art, Dance, Music or Beauty						C	•	
Schools, Business, Vocational or Trade School						C	•	
Schools (College, Junior College)						C	•	
Schools (K-12)	C	C	C					

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Use is permitted by right:	•							
Use permitted as a conditional use:	C							
Use not permitted:								
	R-1	R-2	R-3	*C-1	C-2	C-3	*C-4	I
Shopping Center, Mall					C	C	C	
Tanning Salon (State licensed)						•	•	
Tattoo Establishment (State licensed)								
Television or Radio Broadcast Station						C		
Theater, Cinemas,					C	•	•	
Theater, Performing Arts					C	•	C	
Veterinary Clinic					•	•	•	
Warehouse					C		C	•
Reserved								