

PROPOSED BY: Planning & Zoning Commission

BILL NO. 24-3027

INTRODUCED BY: Alderman Kleinschmidt

ORDINANCE NO. 3013

**AN ORDINANCE AMENDING APPENDIX C. ZONING OF THE MUNICIPAL CODE RELATING TO SPECIAL CONSTRUCTION REQUIREMENTS FOR ATTACHED GARAGES IN ALL RESIDENTIAL ZONING DISTRICTS**

**WHEREAS**, Des Peres Ordinance #2450, adopted January 14, 2008, created "Special Construction Requirements" in All Residential Districts which adopted design standards relating to the architectural design of attached garages on new homes; and

**WHEREAS**, the builder of property located at 12445 Springdale Lane filed a Petition for Text Amendment on November 9, 2023 with the Board of Aldermen requesting amendment of the zoning code requirement that an attached garage contain no more than one thousand (1,000) square feet in gross floor area and be sized for a maximum of four (4) cars; and

**WHEREAS**, the Board of Aldermen considered the request at their November 27, 2023 meeting and referred to the petition of the property owner to the Planning & Zoning Commission for their consideration and recommendation, and

**WHEREAS**, the Planning & Zoning Commission has studied the issue and at their meeting held January 10, 2024, recommended changes to Sections 402.005, 404.005, 404.010, 404.015, 404.020, 404.025, 404.030 which would add a definition of "vehicle bay" and remove the requirement on gross floor area of a garage but add restrictions on the number of garage bays on the front of a house in each residential zoning district,

**WHEREAS**, after first having given notice in a newspaper of general circulation and by posting on the city website, the Board of Aldermen held a public hearing on February 12, 2024 on the proposed amendments to Sections 402.005, 404.005, 404.010, 404.015, 404.020, 404.025, 404.030 of the Zoning Code as contained herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DES PERES, MISSOURI, AS FOLLOWS:**

[Sections being amended are set out in full text of the current language with language to be added in **bold type** and language to be deleted ~~stricken~~]

**SECTION ONE:** Section 402.005, *Definitions*, of Appendix "C" Zoning Regulations of the Municipal Code of the City of Des Peres, Missouri is hereby amended by the addition of the following definition:

**Vehicle Bay:** A residential vehicle bay is the clear space in a residential garage, enclosed by a garage door, sized to store one (1) non-commercial motor vehicle.

**SECTION TWO:** Section 404.005, Residential "A" District, item (C)(3), is hereby repealed and replaced with the following:

3. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. No front-facing garage shall exceed a maximum of three (3) vehicle bays.~~
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION THREE:** Section 404.010, Residential "AA" District, item (C)(4), is hereby repealed and replaced with the following:

4. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. No front-facing garage shall exceed a maximum of three (3) vehicle bays.~~
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION FOUR:** Section 404.015, Residential "B" District, item (C)(3), is hereby repealed and replaced with the following:

3. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. No front-facing garage shall exceed a maximum of three (3) vehicle bays.~~
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION FIVE:** Section 404.020, Residential "D" District, item (C)(3), is hereby repealed and replaced with the following:

3. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and~~ must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. **No front-facing garage shall exceed a maximum of three (3) vehicle bays.**
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION SIX:** Section 404.025, Residential "E" District, item (C)(3), is hereby repealed and replaced with the following:

3. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and~~ must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. **No front-facing garage shall exceed a maximum of three (3) vehicle bays.**
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION SEVEN:** Section 404.030, Residential "F" District, item (C)(3), is hereby repealed and replaced with the following:

3. No dwelling unit may be constructed after adoption of this section which does not contain a garage subject to the following general conditions:

- a. ~~Garages may not contain more than one thousand (1,000) square feet in combined gross floor area and~~ must be sized to accommodate a minimum of two (2) cars and a maximum of four (4) cars. **No front-facing garage shall exceed a maximum of three (3) vehicle bays.**
- b. An attached garage may not exceed more than fifty (50) percent of the first-floor area of a house nor more than fifty-five (55) percent of the front width of the structure.
- c. Garages which face a street (front or side) which have more than two (2) parking bays, shall include a minimum set back of no less than one (1) foot

from the setback of the house or the two (2) car garage for parking bays in excess of two (2) bays.

**SECTION EIGHT:**

This ordinance shall be in full force and effect both from and after its passage and approval by the Mayor and Board of Aldermen.

Voting in Favor: Kleinschmidt, Pound, Osherow, Barrett, Fitzpatrick and Concagh

Voting Against: None

Absent: None

This ordinance passed this 12<sup>th</sup> day of February, 2024.

  
Presiding Officer

**ATTEST:**

  
James Mello, Asst. City Administrator/Deputy Clerk

This ordinance approved this 12<sup>th</sup> day of February, 2024.

  
Mayor Mark Becker

**ATTEST:**

  
James Mello, Asst. City Administrator/Deputy Clerk

1<sup>st</sup> Reading 01/22/2024  
2<sup>nd</sup> Reading 02/12/2024