

BILL NO. 2178

ORDINANCE NO. 2178

AN ORDINANCE AMENDING SECTIONS II, IV, VI, and XIV AND REPLACING SECTIONS III AND VII OF ORDINANCE 1175, THE ZONING ORDINANCES OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, IN ORDER TO ESTABLISH AN ADDITIONAL COMMERCIAL ZONING DISTRICT AND THE USES TO BE ALLOWED IN EACH DISTRICT.

WHEREAS, the City of Ladue has had a single commercial zoning district since 1939; and

WHEREAS, much of the commercial development along Clayton Road involves smaller lots and is closer to residential development; and

WHEREAS, commercial developments along Lindbergh Boulevard, as well as the commercial uses near I-170 and Ladue, involve larger lots and can more easily be buffered from residential development; and

WHEREAS, different types of commercial uses are appropriate based on the characteristics of these commercial lots; and

WHEREAS, it is in the best interests of the City to guide commercial development to the areas deemed most appropriate; and

WHEREAS, reorganizing the zoning code and enacting new definitions will make it easier to use and understand; and

WHEREAS, the Zoning and Planning Commission met on September 27, 2017; October 25, 2017; November 29, 2017; and January 31, 2018 to discuss and make modifications to the zoning updates; and

WHEREAS, after certain changes were made to the zoning code updates, the Zoning and Planning Commission voted to recommend approval of the code changes attached hereto by a vote of 4 in favor, 0 opposed on January 31, 2018; and

WHEREAS, a duly noticed and published public hearing was held on February 20, 2018, regarding the proposed amended regulations in conformity with all requirements of Section 89.060 of the Missouri Revised Statutes and Zoning Ordinance 1175; and

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to passage; and

WHEREAS, it has been determined that the passage of this bill is in the best interests of the City of Ladue.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. Section II.A.(10) of Ordinance 1175, the Zoning Ordinances of the City of Ladue, St. Louis County, Missouri, is hereby repealed and Section III of Ordinance 1175 is hereby repealed and replaced with a new Section III, to read as follows:

Section III. DISTRICT REGULATIONS

A. Only the following uses shall be allowed in Residential Zoning districts:

1. Residential Zoning District A

a. District Intent

The A Residential Zoning District is intended for large lot residential zoning. The purpose is to retain the spacious, wooded, rural character of portions of the City. This district also covers areas of the City where dense development is impractical because of floodplain, waterways, and topography concerns. In addition, the traffic capacity of roadways in these areas generally constrains dense development.

b. Residential lot development requirements in Zoning District A

Required minimum lot area	3 acres
Required front yard setback	75 feet
Required side yard setback	50 feet
Required rear yard setback	50 feet
Required minimum frontage	150 feet
Required minimum lot width	200 feet
Maximum building height	45 feet

c. All residential development must comply with the requirements stated in Sections IV and V of the Zoning Ordinance regarding additional use regulations and height, area, and yard regulations.

d. Permitted uses shall be allowed as follows:

- 1 - Single family dwelling, not exceeding 15,000 square feet in area under roof. (Ord. 1696)
- 2 - Accessory buildings, structures, or uses as provided in Section IV. (Ord. 1595)

- e. Uses that may be authorized by Special Use Permit are listed in Subsection B.

2. Residential Zoning District B

- a. District intent

The B Residential Zoning District is similar to the A Residential District in that it also prohibits dense development in order to retain the natural vegetation and spacious character of the City. These are areas that are not as limited by waterways and topography and are more easily accessed via the City's major arterial roads.

- b. Residential lot development requirements in Zoning District B

Required minimum lot area	1.8 acres
Required front yard setback	50 feet
Required side yard setback	50 feet
Required rear yard setback	50 feet
Required minimum frontage	135 feet
Required minimum lot width	180 feet
Maximum building height	45 feet (subject to Section V.A)

- c. All residential development must comply with the requirements stated in Sections IV and V of the Zoning Ordinance regarding additional use regulations and height, area, and yard regulations.

- d. Permitted uses shall be allowed as follows:

- 1 - Single family dwelling, not exceeding 15,000 square feet in area under roof. (Ord. 1696)
- 2 - Accessory buildings, structures, or uses as provided in Section IV. (Ord. 1595)

- e. Uses that may be authorized by Special Use Permit are listed in Subsection B.

3. Residential Zoning District C

- a. District Intent

The C Residential Zoning District is intended for more traditional subdivision development, but still aims to maintain a significant amount of green space

on each lot. These are areas that may have some general development limitations in terms of drainage ways, but that are generally easily accessible from the City's arterials and major collector roads.

b. Residential lot development requirements in Zoning District C

Required minimum lot area	30,000 square feet
Required front yard setback	50
Required side yard setback	10 feet or 10% of the lot width, whichever is greater (need not exceed 20 feet)
Required rear yard setback	30 feet
Required minimum frontage	90 feet
Required minimum lot width	120 feet
Maximum building height	45 feet (subject to Section V.A)

c. All residential development must comply with the requirements stated in Sections IV and V of the Zoning Ordinance regarding additional use regulations and height, area, and yard regulations.

d. Permitted uses shall be allowed as follows:

- 1 - Single family dwelling, not exceeding 15,000 square feet in area under roof. (Ord. 1696)
- 2 - Accessory buildings, structures, or uses as provided in Section IV. (Ord. 1595)

e. Uses that may be authorized by Special Use Permit are listed in Subsection B.

4. Residential Zoning Districts D & E

a. District Intent

The D and E Residential Zoning Districts are frequently located near schools and parks. Residential development is higher in density and provides more affordable housing alternatives.

b. Residential lot development requirements in Zoning District D

Required minimum lot area	15,000 square feet
Required front yard setback	40 feet

Required side yard setback	10 feet or 10% of the lot width, whichever is greater (need not exceed 15 feet)
Required rear yard setback	30 feet
Required minimum frontage	55 feet
Required minimum lot width	75 feet
Maximum building height	45 feet (subject to Section V.A)

c. Residential lot development requirements for Zoning District E

Required minimum lot area	10,000 square feet
Required front yard setback	40 feet
Required side yard setback	10 feet
Required rear yard setback	30 feet
Required minimum frontage	50 feet
Required minimum lot width	70 feet
Maximum height	45 feet (subject to Section V.A)

d. All residential development must comply with the requirements stated in Sections IV and V of the Zoning Ordinance regarding additional use regulations and height, area, and yard regulations.

e. Permitted uses shall be allowed as follows in Zoning Districts D and E:

- 1 - Single family dwelling, not exceeding 15,000 square feet in area under roof. (Ord. 1696)
- 2 - Accessory buildings, structures, or uses as provided in Section IV. (Ord. 1595)

f. Uses that may be authorized by Special Use Permit are listed in Subsection B.

5. Residential Zoning District E1

a. District Intent

The E1 Zoning District is a pedestrian-friendly residential zoning district with easy access to the Clayton Road Commercial District. This district is intended for smaller-scale homes.

b. Residential lot development requirements for Zoning District E1

Required minimum lot area	10,000 square feet
Required front yard setback	25 feet
Required side yard setback	10 feet
Required rear yard setback	30 feet
Required minimum frontage	50 feet
Required minimum lot width	70 feet
Maximum building height	28 feet (subject to Section V.A)
Maximum floor area ratio (FAR)	0.42

c. All residential development must comply with the requirements stated in Sections IV and V of the Zoning Ordinance regarding additional use regulations and height, area, and yard regulations.

d. Permitted uses shall be allowed as follows:

- 1 - Single family dwelling, not exceeding 9,000 square feet in area under roof. (Ord. 1696)
- 2 - Accessory buildings, structures, or uses as provided in Section IV. (Ord. 1595)

e. Uses that may be authorized by Special Use Permit are listed in Subsection B.

B. Special Use Permits in Residential Districts

The following uses may be allowed in the A, B, C, D, E, and E1 zoning districts with a Special Use Permit:

- 1 - Single family dwellings exceeding 15,000 square feet in area under roof in A, B, C, D, and E zoning districts.
- 2 - Single family dwellings exceeding 9,000 square feet in area under roof in the E1 zoning district.
- 3 - Private residential garages with a floor area that exceeds the limitation in Section IV-A-(1)-(b).

- 4 - Institutions of an educational, religious, or philanthropic nature.
- 5 - Universities, colleges, and schools including high schools, elementary schools, kindergarten, pre-kindergarten, and nursery schools.
- 6 - Private clubs.
- 7 - Riding academy or stables in connection with private clubs where horses are cared for or rented for remunerations or otherwise.
- 8 - Facilities of any public body or agency or department of any city, county, state, or federal government.
- 9 - The use of a building, premises, or easement for local public utility facilities, including but not limited to office buildings, substations, towers and, transmission lines, operated by a public utility corporation or for public utility purposes necessary to the public convenience or welfare.
- 10 - Public park (may include landscaping, walking trails, tables, benches, shelter, and playground) without parking area.
- 11 - Concealed communication antenna but only on a lot of not less than 2 acres in size, occupied by a non-residential use or within a public or private utility easement.
- 12 - Stealth communication tower, but only on a lot of not less than 2 acres in size, occupied by a non-residential use.
- 13 - Communication antenna, but only on a lot of not less than 2 acres in size occupied by a non-residential use, or within a public or private utility easement.

C. Commercial Zoning Districts shall be developed according to the following requirements:

1. Neighborhood Commercial District G1

a. District Intent

The Neighborhood Commercial District G1 is primarily intended to accommodate low-impact, small-scale, neighborhood retail and service uses in smaller storefront buildings. Pedestrian friendly orientation of buildings is encouraged. Office buildings with no more than 2 stories are also permitted in this area.

b. Commercial lot development requirements for Zoning District G1

Required minimum lot area	None
Required front yard setback	20 (if parking is located at side or rear of building) 60 (if parking is located in front of building)
Required side yard setback	5*
Required rear yard setback	30 feet
Required minimum frontage	50 feet
Required minimum lot width	50 feet
Maximum building height	35 feet (subject to Section V.A)
Maximum floor area permitted (without Special Use Permit)	7,500 square feet

*If building will be directly in line with adjacent structures and continue an existing commercial pattern, a side setback of zero may be allowed by City Council based on the recommendation of the City Planner and Zoning and Planning Commission.

c. All commercial and industrial development must comply with the requirements in Sections VI and VIII of the Zoning Ordinance, regarding parking, access, loading, and overall site development.

d. Permitted uses shall be allowed as follows:

- 1 - Financial institution without mobile banking.
- 2 - Personal care services to include barber shop or hair salon, nail salon, tailor, and shoe repair.
- 3 - Professional or Business Office.
- 4 - Medical or dental office less than 3,000 square feet in size.
- 5 - Public park (may include landscaping, walking trails, tables, benches, shelter, and playground) without parking area.
- 6 - Restaurants, not including those serving liquor by the drink or those with seating areas open to the outdoors, whether covered or uncovered. (Ord. 1637)

- 7 - Store or shop (including pharmacy) for the conduct of retail business, other than automotive sales.
 - 8 - Art/ photography studio or gallery.
 - 9 - Accessory building, structure, or use including required parking lots. (Ord 1595)
 - 10 - Storage of products and materials. Must be completely enclosed within a building and consist of not more than 40 percent of the total floor area of any building or group of buildings on a lot used for a permitted use.
- e. The following uses may be allowed in the G1 Zoning District with a Special Use Permit:
- 1 - Institutions of an educational, religious, or philanthropic nature.
 - 2 - Universities, colleges, and schools including high schools, elementary schools, kindergarten, pre-kindergarten, and nursery schools.
 - 3 - Private clubs.
 - 4 - Riding academy or stables in connection with private clubs where horses are cared for or rented for remunerations or otherwise.
 - 5 - Facilities of any public body or agency or department of any city, county, state, or federal government.
 - 6 - The use of a building, premises, or easement for local public utility facilities, including but not limited to substations, towers, transmission lines, operated by a public utility corporation or for public utility purposes necessary to the public convenience or welfare.
 - 7 - Service station.
 - 8 - Gym or fitness center.
 - 9 - Day spa.
 - 10 - Medical or dental office 3,000 square feet or larger and set back at least 150 feet from the roadway. (Use shall be prohibited in this district if building is set back less than 150 feet from the roadway.)

- 11 - Clinic. (Use shall be prohibited in this district if building is set back less than 150 feet from the roadway.)
- 12 - Music or dance school.
- 13 - Recreational facilities (athletic courts, athletic fields) or public park with parking facilities.
- 14 - Financial institution with mobile banking. All drive-through facilities must comply with Section VII, F.8 of the Zoning Ordinance.
- 15 - Restaurants, taverns, cocktail lounges, and other establishments serving liquor by the drink.
- 16 - Restaurants with seating areas open to the outdoors, whether covered or uncovered. (Ord. 1637)
- 17 - Dry cleaning and laundry service.
- 18 - Facilities for massage therapy performed by therapists licensed by the State of Missouri. (Ord 1649)
- 19 - Special Events.
- 20 - Communication antenna, but only in public or private utility right-of-way.
- 21 - Concealed communication antenna.
- 22 - Stealth communication tower.
- 23 - Joint parking facilities. Specific requirements are located in Section VII-G. (Ord. 1811, Ord. 1910)
- 24 - Non-residential uses with floor area greater than 7,500 square feet within a building.

2. General Commercial District G2

a. District Intent

The General Commercial District G2 is intended for retail, service, and office uses that are in high traffic areas and generally draw clientele from a larger region, such as shopping centers and business parks. The majority of customers are expected to arrive by automobile.

b. Commercial lot development requirements for Zoning District G2

Required minimum lot area	None
Required front yard setback	50 feet
Required side yard setback	5 feet
Required rear yard setback	30 feet
Required minimum frontage	75 feet
Required minimum lot width	100 feet
Maximum building height	45 feet (subject to Section V.A)
Maximum floor area permitted (without Special Use Permit)	7,500 square feet

c. All commercial and industrial development must comply with the requirements in Sections VI and VIII of the Zoning Ordinance, regarding parking, access, loading, and overall site development.

d. Permitted uses shall be allowed as follows:

- 1 - Financial institution without mobile banking.
- 2 - Personal care services to include barber shop or hair salon, nail salon, tailor, and shoe repair.
- 3 - Dry cleaning and laundry service.
- 4 - Professional or Business Office.
- 5 - Medical or dental office less than 3,000 square feet in size.
- 6 - Public recreational facilities (athletic courts, athletic fields) or public park with parking facilities.
- 7 - Restaurants (not including those serving liquor by the drink or those with seating areas open to the outdoors, whether covered or uncovered. (Ord. 1637))
- 8 - Store or shop (including pharmacy) for the conduct of retail business, other than automotive sales.

- 9 - Gym or fitness center less than 3,500 square feet in size.
 - 10 - Art/ photography studio or gallery.
 - 11 - Accessory building, structure, or use including required parking lots. (Ord 1595)
 - 12 - Storage of products and materials. Must be completely enclosed within a building and consist of not more than 40 percent of the total floor area of any building or group of buildings on a lot used for a permitted use.
- e. The following uses may be allowed in the G2 Zoning District with a Special Use Permit:
- 1 - Institutions of an educational, religious, or philanthropic nature.
 - 2 - Universities, colleges, and schools including high schools, elementary schools, kindergarten, pre-kindergarten, and nursery schools.
 - 3 - Private clubs.
 - 4 - Riding academy or stables in connection with private clubs where horses are cared for or rented for remunerations or otherwise.
 - 5 - Facilities of any public body or agency or department of any city, county, state, or federal government.
 - 6 - The use of a building, premises, or easement for local public utility facilities, including but not limited to substations, towers, transmission lines, operated by a public utility corporation or for public utility purposes necessary to the public convenience or welfare.
 - 7 - Service station.
 - 8 - Theater (live performance and film).
 - 9 - Music or dance school.
 - 10 - Financial institution with mobile banking. All drive-through facilities must comply with Section VII, F.8 of the Zoning Ordinance.
 - 11 - Restaurants, taverns, cocktail lounges, and other establishments serving liquor by the drink.

- 12 - Restaurants with seating areas open to the outdoors, whether covered or uncovered. (Ord. 1637)
- 13 - Drive-through facilities for pharmacy and dry cleaning/laundry establishments. All drive-through facilities must comply with Section VII, F.8 of the Zoning Ordinance.
- 14 - Medical or dental office 3,000 square feet or larger.
- 15 - Clinics of any type.
- 16 - Gym or fitness center 3,500 square feet or larger.
- 17 - Day spa.
- 18 - Facilities for massage therapy performed by therapists licensed by the State of Missouri. (Ord 1649)
- 19 - Special Events.
- 20 - Concealed communication antenna.
- 21 - Communication antenna.
- 22 - Communication tower.
- 23 - Stealth communication tower.
- 24 - Joint parking facilities. Specific requirements are located in Section VII-G. (Ord. 1811, Ord. 1910)
- 25 - Non-residential uses with floor area greater than 7,500 square feet within a building.
- 26 - Vehicle leasing facilities on a property not less than 2 acres. Additional requirements are listed in Section VII.
- 27 - Car sales as an accessory use on a property not less than 3.5 acres in size. An accessory use is incidental to the main use of the property and may not occupy more than 33% of the total area of the principal use. Additional requirements for accessory car sales are listed in Section VII.

3. Light Industrial District – Zoning District H

a. District Intent
 The Light Industrial District H is intended for industrial-type uses including extraction and processing of materials.

b. Industrial lot requirements for Zoning District H

Required minimum lot area	1 acre
Required front yard setback	50 feet
Required side yard setback	20 feet
Required rear yard setback	30 feet
Required minimum frontage	150 feet
Required minimum lot width	200 feet
Maximum building height	45 feet (subject to Section V.A)

c. All industrial developments must comply with the requirements in Sections VI and VIII of the Zoning Ordinance, regarding parking, access, loading, and overall site development.

d. Permitted uses shall be allowed as follows:

- 1 - Any light manufacturing plant or establishment which does not constitute a nuisance due to the emission of noise, odor, gas, smoke, vibration, or otherwise.
- 2 - Storage of products or materials completely enclosed within a building.
- 3 - Accessory building, structures, or uses including required parking lots as provided in Section IV (Ord 1595).

e. The following uses may be allowed in the H1 Zoning District with a Special Use Permit:

- 1 - Facilities of any public body or agency or department of any city, county, state, or federal government.
- 2 - The use of a building, premises, or easement for local public utility facilities, including but not limited to substations, towers, transmission lines, operated by a public utility corporation or for

public utility purposes necessary to the public convenience or welfare.

- 3 - Extraction or processing of raw materials of all kinds.
- 4 - Exterior storage of products or materials.
- 5 - Concealed communication antenna.
- 6 - Stealth communication tower.
- 7 - Communication antennae.
- 8 - Communication tower.

D. Prohibited Uses. The uses listed in this Section are the only uses allowed in the City of Ladue. Notwithstanding, the following uses are expressly prohibited within any zoning district

- 1 - Multiple family dwellings and condominiums.
- 2 - Multi-level parking garages with parking structure more than 5 feet above grade.
- 3 - Automotive sales, unless approved as an accessory use to an existing business.
- 4 - Drive through auto washing facilities.
- 5 - Funeral homes.
- 6 - Massage parlors.
- 7 - Commercial pool parlors and game rooms.
- 8 - Nursing homes.
- 9 - Hospitals.
- 10 - Motels and Hotels.
- 11 - Short-term rentals.

SECTION 2. Subsection VII of Ordinance 1175, the Zoning Ordinances of the City of Ladue, St. Louis County, Missouri, is hereby repealed and replaced with a new Subsection VII.

New subsections are shown in bold for emphasis in the ordinance, but should be regular typeface in the Zoning Ordinance.

Section VII. SPECIAL USE REGULATIONS

- A. Written application shall be filed with the City Clerk, together with a filing fee in the amount required by ordinance to obtain a special permit (1) for the uses hereinafter set forth in this section or (2) for uses previously issued a special use permit where alteration or an extension is requested or (3) for uses established previous to the adoption or amendment of the Zoning Ordinance for which a special use permit would otherwise be required by the provisions of this section, where alteration or an extension is requested. No subsequent application with respect to the same property or any part thereof, whether or not made by the same applicant, shall be accepted for review until the expiration of six months after final action by the City Council on a prior application, or after the withdrawal or abandonment of such application at any time after the Zoning and Planning Commission has voted on the matter, unless the City Council determines to waive this limitation because of a material change in the relevant circumstances or in the nature of the application. *[Ord. 1379, 1482, 1637, 2099]*
- B. In addition to the application, applicant shall submit architectural plans of the building(s) and structure(s) for which the special use is requested and a site plan of the entire parcel, showing its boundaries, dimensions and area, and the location of all existing and proposed buildings and structures, scaled not less than one inch to fifty feet evidencing conformity of all proposed improvements to no less than the minimum standards and requirements of this Zoning Ordinance and the ordinances of the City of Ladue; necessary descriptive material of the entire parcel including all permitted and special uses and such other information as the City authorities and the City's planning consultant may reasonably require. Upon receipt of an application and required supporting data, the City Clerk shall submit the application to the City Council. The Council shall direct the City Clerk to mail written notice thereof to the owners of the property located within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the property sought to be devoted to such use. The City Clerk shall promptly forward a copy of said application and supporting data to the City Zoning and Planning Commission whose duty it shall be promptly to review, investigate, consider and make written report thereon to the City Council. After publication in a newspaper of general circulation in the City of Ladue of at least fifteen days notice of the time and place of such hearing, and after receiving the report of the City Zoning and Planning Commission, the City Council shall hold a public hearing relative to said application. *[Ord. 1637]*
- C. In considering whether or not such application should be granted, it shall be the duty of the City Zoning and Planning Commission and of the City Council to give consideration to the effect of the requested use on health, safety, morals and the general welfare of the residents of the area in the vicinity of the property in question, and the residents of the city generally, including the effect on:
- (1) Traffic in the streets;

- (2) Fire hazards;
- (3) Overcrowding of land or undue concentration of people;
- (4) Fire, police and utility services;
- (5) Municipal expenditures;
- (6) The character of the district, and property values in the area; and,
- (7) The general suitability of the property in question for the proposed use.

- D. After report by the City Zoning and Planning Commission, and after such public hearing, and after consideration of all of the factors hereinabove set forth, and subject to such protective restrictions as it may deem necessary in conjunction with such factors, the City Council may issue a special permit authorizing the location, erection, reconstruction or structural alteration of the land uses or structures that require a Special Use Permit according to Section III of this Zoning Ordinance.
- E. In case, however, that the City's Zoning and Planning Commission recommends disapproval of an application for a special use permit or in case of a protest against the granting of any such application duly signed and acknowledged by the owners of ten (10) percent or more of the area of the property located within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the property sought to be devoted to such use, but excluding any property owned by the applicant, such use shall not be permitted except by the favorable votes of three-fourths of all members of the City Council.
- F. In addition to the other considerations stated in this Section, proposed Special Uses must also meet the following requirements to be considered for a Special Use Permit:

1. Automobile Leasing Facility

- a. **Property must be in the G2 Commercial Zoning District.**
- b. **Property must be at least 2 acres in size.**
- c. **Property must provide at least the minimum required customer and employee parking spaces as required by Section VI. Additional parking spaces may be used for storage of vehicles to be leased.**
- d. **Properties for vehicle sale or leasing must have at least 175 feet of frontage on a principal arterial or minor arterial (as indicated by the East West Gateway Roadway Functional Classification System for St. Louis County).**
- e. **If leasing facility is adjacent to residentially zoned property, the vehicle leasing site must provide a minimum vegetated buffer of 75 feet in width.**

f. Vehicle leasing site may consist of office space, vehicle storage, and servicing of leased vehicles, which shall take place within an enclosed garage facility.

g. Property must comply with commercial site design requirements.

2. Accessory Automobile Sales

a. Property must be in the G2 Commercial Zoning District.

b. Property must be at least 3.5 acres in size.

c. Property on which sales activities are to take place must be at least 200 feet from any residential property.

d. Property must provide at least the minimum required customer and employee parking spaces as required by Section VI. Additional parking spaces may be used for storage of vehicles to be leased.

e. Property must comply with commercial site design requirements.

3. Single-family dwellings exceeding maximum allowed square footages in area under roof

a. The proposed residence must be on a conforming lot meeting all minimum area, minimum lot width, and minimum lot frontage requirements of the zoning district in which it is located.

b. The proposed residence must be on one lot and the area of the lot shall not be reduced in area at any time after the construction of the residence.

c. The proposed residence shall be used only as a single-family dwelling including customary accessory uses.

d. In addition to the requirements listed above and the Special Use Permit criteria in Section VII. (C), the following criteria must be addressed in the application and plan submittal:

i. The degree to which the proposed structure visually impacts those who routinely see it from viewing locations other than the subject property

ii. The degree to which visual impacts of the proposed structure have been sufficiently mitigated by virtue of its location, design, or construction or by virtue of effective landform and landscaping measures

iii. The degree to which the natural vegetation, particularly tree cover is preserved and protected

- iv. Adequacy of proposed water retention facilities on the subject property in mitigation of water runoff on adjacent properties
 - v. Doors, windows, and other details of the proposed residence shall be of a residential scale and not be significantly larger than the features of surrounding residences
- e. The following shall apply specifically to single family dwellings exceeding 15,000 square feet in area under roof in Districts A, B, and C, only:
- i. A scale model of the proposed residence shall be submitted with the application including all of the lot on which the residence is proposed.
 - ii. In no case shall the proposed residence exceed a floor area under roof to lot area ratio of ten (10) percent (i.e. there shall be at least 10 square feet of lot area per one square foot of floor area under roof).
 - iii. In no case shall the length of the building measured roughly perpendicular to the side lot lines exceed fifty (50) percent of the width of the lot, as measured at the front yard setback line.
 - iv. The minimum side yard setback shall be fifty (50) feet.
 - v. Comments from the Fire Department shall be addressed including proximity to the nearest fire hydrants and the necessity of providing fire lanes on site.
 - vi. Automatic fire sprinkler systems shall be provided per Fire Department specifications.
 - vii. Provisions shall be made for adequate off-street parking on the lot for the duration of the construction period.
 - viii. A minimum of six permanent off-street parking spaces shall be provided on site within garages, and/or side yards, and/or rear yards, but shall not be provided in any required yard or any part of a front yard.

4. Concealed Communication Antenna

- a. In the A, B, C, D and E Residential Districts, a concealed communication antenna may be installed only on a lot of not less than two (2) acres in size, occupied by a non-residential use or within a public or private utility easement and in each instance in active use operating under and pursuant to a valid special use permit issued by the City of Ladue. Except as specifically provided herein, no concealed communication antennae shall be installed or operated within any residential district.
- b. The concealed communication antennae shall be housed completely within a building on the site.
- c. The portion of the structure housing the concealed communications antennae may exceed the building height limitation provided that: (A) it meets the criteria in

Section V.A(2) or (B) the concealed communication antenna is housed and concealed completely within certain architectural features on a building.

- d. The proposed height and appearance of the architectural feature shall be architecturally compatible with the building, of a type and nature commonly found on such buildings, and does not distract from the view of the surrounding area;
- e. The proposed height, appearance, and materials of the architectural feature shall be compatible with the design, appearance, materials, and dimensions of the building; and
- f. Erection of the proposed architectural feature and concealed communication antenna at the proposed location will not be detrimental to the surrounding property values or uses.
- g. When any concealed communication antenna, communication antenna, communication tower, or stealth communication tower shall no longer be *used* for its original communications purpose, the owner of such antenna or tower, or the last lessee, licensee or user thereof, or the owner of the site on which the same is located shall be obligated, jointly and severally, at their expense to dismantle and remove promptly such antenna or tower from its site.
 - i. The licensed telecommunications user of such antenna or tower shall provide the city with a copy of the notice to the FCC of intent to cease operations thereon and shall have ninety (90) days from cessation of operations to complete the dismantling and removal of its equipment and the antenna or tower from the site.
 - ii. If the antenna or tower is not removed, the city reserves the right at any time thereafter and after giving thirty (30) days written notice to the interested parties, to enter the property and remove the antenna or tower, to charge the costs to the last lessee, licensee or user thereof or the owners, and to place a lien in the amount of the costs against the property of the owner of the site.

5. Communication Antenna

- a. Communication antennae may be located on top of a building or attached to a building or other alternative support structure, as defined in Article XIV, but only on a non-residential property.
- b. In the A, B, C, and D Residential Districts, a communication antenna may be installed on a lot of not less than two (2) acres in size, occupied by a non-residential use or within a public or private utility easement on a utility pole and in

each instance in active use operating under and pursuant to a valid special use permit issued by the City of Ladue or within a cemetery occupying not less than two acres in size or a property owned and occupied by a government entity.

- c. A communication antenna may be installed on a utility or light pole within any public or private utility right-of-way in any zoning district.
- d. Communication antennae may exceed the height limitation provided that no equipment shall exceed 15 feet in height as measured from the roof of a building, top of an architectural feature, or top of an alternative support structure and a total height of seventy (70) feet above the ground.
- e. The design of any communication antenna shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication antenna facilities with the surrounding natural setting and built environment.
- f. The site plan for the communication antennae shall include the following information:
 - i. Proposed type, number, and location of antennae or other transmission equipment to be located on the site; and
 - ii. Location of any adjoining structures used for residential purposes
- g. The antennae may consist of not more than two whip antennae, or not more than two panel antennae. Whip antennae shall not exceed fifteen (15) feet in height/length or six (6) inches in diameter. Panel antennae shall not exceed six feet in height/length, one foot in width, and one foot in depth. Moreover, all antennae mounted on an alternative support structure shall be aligned parallel or approximately parallel to the axis of the alternative support structure;
- h. No separate on-site support building is necessary for operation of the communication antenna, or any necessary support storage area is located underground.
- i. Other equipment necessary for the operation of the communication antenna shall be relatively small and able to be mounted on or within the alternative support structure.
- j. All equipment necessary for the operation of the communication antenna shall be the same color as the alternative support structure and is maintained the same color.
- k. If communication antennae are placed on a utility pole, the antennae shall not extend more than fifteen (15) feet above the highest power line.

- I. The provisions of this Sub-section shall not apply to communications' facilities used by the City of Ladue; however, the City shall remain subject to the other requirements concerning special uses.

- m. When any communication antenna shall no longer be *used for its original communications purpose*, the owner of such antenna or tower, or the last lessee, licensee or user thereof, or the owner of the site on which the same is located shall be obligated, jointly and severally, at their expense to dismantle and remove promptly such antenna or tower from its site.
 - i. The licensed telecommunications user of such antenna or tower shall provide the city with a copy of the notice to the FCC of intent to cease operations thereon and shall have ninety (90) days from cessation of operations to complete the dismantling and removal of its equipment and the antenna or tower from the site.
 - ii. If the antenna or tower is not removed, the city reserves the right at any time thereafter and after giving thirty (30) days written notice to the interested parties, to enter the property and remove the antenna or tower, to charge the costs to the last lessee, licensee or user thereof or the owners, and to place a lien in the amount of the costs against the property of the owner of the site.

6. Stealth Communication Tower

- a. A stealth communication tower shall not exceed 80 feet in height above the ground.

- b. In the A, B, C, D and E Residential Districts, stealth communication towers may be installed only on a lot of not less than two (2) acres in size, occupied by a non-residential use and in each instance in active use operating under and pursuant to a valid special use permit issued by the City of Ladue. Except as specifically permitted herein, no stealth communication tower shall be installed or operated within any residential district.

- c. The stealth communication tower shall be set back from all property lines a minimum of one (1) foot for every foot of tower height. No stealth communication tower shall be located within 150 feet of any residential structure.

- d. Stealth communication towers shall be a monopole or similar design that does not require the use of guy wires.

- e. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment and conceal

communication antennae and other equipment. The Civic Improvement Committee shall approve landscape plans for such installations.

- f. All accessory uses shall be subject to setback requirements generally applicable to principal uses in the district and no accessory building or structure shall exceed ten (10) feet in height. Any equipment shelter structures or buildings, fencing, and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the stealth communication tower and suitably screened.
- g. The site plan for the stealth communication tower shall include the following information:
 - i. Exact location of the tower;
 - ii. Proposed type, number, and location of antennae or other transmission equipment to be located on the tower;
 - iii. Location of any adjoining residential districts or structures used for residential purposes;
 - iv. A rendering of the stealth tower or a picture of a similar existing stealth communication tower.
- h. No advertising signs or lights shall be allowed on the stealth communication tower.
- i. No outdoor storage shall be allowed on the site containing the stealth communication tower.
- j. A stealth communication tower shall not exceed the height of any surrounding trees by more than five feet.
- k. The provisions of this Sub-section F shall not apply to communications' facilities used by the City of Ladue; however, the City shall remain subject to the other requirements concerning special uses.
- l. When any stealth communication tower shall no longer be *used* for its original communications purpose, the owner of such antenna or tower, or the last lessee, licensee or user thereof, or the owner of the site on which the same is located shall be obligated, jointly and severally, at their expense to dismantle and remove promptly such antenna or tower from its site.
 - v. The licensed telecommunications user of such antenna or tower shall provide the city with a copy of the notice to the FCC of intent to cease operations thereon and shall have ninety (90) days from cessation of operations to complete the dismantling and removal of its equipment and the antenna or tower from the site.

- vi. If the antenna or tower is not removed, the city reserves the right at any time thereafter and after giving thirty (30) days written notice to the interested parties, to enter the property and remove the antenna or tower, to charge the costs to the last lessee, licensee or user thereof or the owners, and to place a lien in the amount of the costs against the property of the owner of the site.

7. Communication Tower

- a. Communication towers shall be limited to the G-Commercial District and the H - Industrial District.
- b. A communication tower shall not exceed 100 feet in height above the ground.
- c. The communication tower shall be set back from all property lines a minimum of one (1) foot for every foot of structure height. No communication tower shall be located within 200 feet of any residential structure.
- d. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment.
- e. All accessory uses, and any guy wire anchors, shall be subject to height and setback requirements generally applicable to principal uses in the district. All guy wire anchor locations, equipment shelter structures or buildings, fencing, and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the communication tower.
- f. The site plan for the communication tower shall include the following information:
 - i. Exact location of the tower and guy wire anchors;
 - ii. Proposed type, number, and location of antennae or other transmission equipment to be located on the tower;
 - iii. Location of any adjoining residential districts or structures used for residential purposes.
- g. No advertising signs or lights shall be allowed on the communication tower.
- h. No outdoor storage shall be allowed on the site containing the communication tower.
- i. The site containing the communication tower shall be surrounded by a sight-proof fence or evergreen plant material of at least six feet in height.

- j. The communication antennae on communication towers shall be limited to whip and panel antennae.
- k. Communication towers shall not be installed or operated within any residential district.
- l. When any communication tower or antenna thereon shall no longer be *used for its original communications purpose*, the owner of such antenna or tower, or the last lessee, licensee or user thereof, or the owner of the site on which the same is located shall be obligated, jointly and severally, at their expense to dismantle and remove promptly such antenna or tower from its site.
 - i. The licensed telecommunications user of such antenna or tower shall provide the city with a copy of the notice to the FCC of intent to cease operations thereon and shall have ninety (90) days from cessation of operations to complete the dismantling and removal of its equipment and the antenna or tower from the site.
 - ii. If the antenna or tower is not removed, the city reserves the right at any time thereafter and after giving thirty (30) days written notice to the interested parties, to enter the property and remove the antenna or tower, to charge the costs to the last lessee, licensee or user thereof or the owners, and to place a lien in the amount of the costs against the property of the owner of the site.

8. Drive-through and Mobile Banking Facilities

- a. **All drive-through service windows shall provide at least 10 queuing spaces.**
- b. **Each queuing space shall be a minimum of twenty (20) feet in length and ten (10) feet in width along all portions of the lane(s).**
- c. **Properties with drive-through facilities must have at least 150 feet of frontage on a principal arterial or minor arterial (as indicated by the East West Gateway Roadway Functional Classification System for St. Louis County).**
- d. **The drive through shall not be located between the front façade of the structure and the main arterial roadway that the building faces.**
- e. **Service windows shall be a minimum of 25 feet behind the front façade of the principal building.**
- f. **The drive-through window must be separated from any residentially zoned property by at least 100 feet.**

- g. If the property is adjacent to a residential use, a visual buffer of at least 50 feet must be provided between the drive-through service area and the residential use. The buffer may be landscaping or structural.**
- h. Queuing lanes must be set back at least 5 feet from all property lines.**
- i. Queuing lanes shall be geometrically designed and strategically located so as to minimize traffic congestion and to promote pedestrian safety.**
- j. Pedestrian walkways and crossings upon the site shall be clearly marked or distinguished to avoid conflict between pedestrians and traffic through the use of raised pedestrian crossings, change in paving material or embossed striping, bollards, landscaping, or other approved method. Painted striping does not meet this requirement.**
- k. A traffic impact study, prepared by a registered professional engineer, shall be required to determine the effect on traffic and safety on area roadways.**
- l. A site plan, prepared by a registered professional engineer or surveyor, shall be submitted with the application and shall show the location and dimensions of all elements of the parking area and drive through.**

9. Joint Parking Facilities

- a. Off-street parking facilities for different buildings, structures or uses, or for mixed uses, may be provided and used collectively or jointly upon a determination by the City Council that the site and the proposed joint parking facilities meet the following criteria:
 - i. The site shall be in common ownership or shall consist of not more than two contiguous parcels under separate ownership. If not in common ownership, a legally sufficient written agreement assuring the perpetual joint usage of said common parking for the combination of uses shall be properly drawn and executed by the parties concerned, approved as to form and execution by the City Attorney, filed with and made part of the Special Use Permit, and recorded in the St. Louis County Recorder of Deeds Office;
 - ii. The site shall provide a minimum of one parking space per 200 square feet of floor area before and after the joint parking arrangement is approved;

- iii. All parking spaces on the site shall comply with the City's minimum requirement for area and dimensions;
 - iv. The applicant shall provide information proving that with the joint parking arrangement the site will meet the minimum parking requirements during each hour of the day based on the operating hours of the businesses on the site and the required number of parking spaces for each business as outlined in Section VI; and
 - v. The joint parking arrangement shall allow not more than one-half of the total parking requirement for any one business to be shared by another business.
- b. Any proposed change in tenant mix or operating hours of the uses enjoying the joint parking arrangement shall be submitted to the City Clerk at least 30 days prior to any such change for review and approval of the City's Planning Consultant and City Clerk. Any proposed change in tenant mix or operating hours of the uses enjoying the joint parking arrangement that will adversely impact the functioning of the joint parking arrangement in the opinion of either the City Clerk or Planning Consultant will require referral to the Zoning and Planning Commission for an amendment to the existing Special Use Permit. Any such amendment will require approval of the City Council based on procedures outlined in this Section VII.

10. Special Events

- a. Events that meet the following definition shall be required to obtain a Special Use Permit and comply with the requirements as stated in this Subsection H.

Special Event – an event that is different from the usual activities conducted on a site and is planned to include any of the following:

- Amplified music played outdoors
 - Fireworks
 - Sale of alcoholic beverages
 - Amusement structures (e.g. bounce house, etc.)
 - Multiple vendor sales
- b. Events that meet the definition in Section H.(1) shall be required to obtain a Special Use Permit at least 30 days prior to the event and comply with the following:
- i. Event will only be allowed in the G Commercial Area.

- ii. Event shall not cause a nuisance or be detrimental to the public health and safety.
 - iii. All outdoor activities must end by sunset.
 - iv. Adequate sanitary facilities must be provided on the premises for the persons attending the event.
 - v. All tents, amusement structures (e.g. bounce houses), and other temporary structures shall comply with all City Ordinances and the International Building Code, as adopted by the City, as well as all applicable City, State, and Federal health, safety, environmental, and other applicable requirements.
 - vi. Adequate parking must be provided. Illegal street parking will not be tolerated. Failure to show that adequate parking will be provided shall be grounds for denial of a Special Use Permit.
 - vii. Event shall not cause excessive traffic congestion.
 - viii. Activities shall not be allowed to obstruct the public right-of-way, unless the event organizer has obtained permission from the appropriate City authority.
 - ix. Activities will require authorization from the Police Department, Fire Department, Public Works Department, and/or other City staff, as applicable.
 - x. All evidence of the special event must be cleaned up at the close of the event, including any litter or decorations carried away by wind.
 - xi. Temporary signage, as defined by Section X of Ordinance 1175 may be allowed with an approved Special Use Permit, but must comply with the following:
 - 1. Event signage shall not exceed 10 square feet.
 - 2. Banners and decorations shall not create excessive visual clutter nor shall they distract motorists. The full list of prohibited signage is listed in Section 130-7 of the Ladue Code of Ordinances.
 - 3. Temporary signage materials may be displayed for no more than 10 days. Signage materials must be taken down immediately upon completion of the event.
- c. Because the intention of this Section is to allow for the temporary use of property under specific controlled conditions, the City's issuance of a Special Use Permit is not intended to, and expressly does not, create a vested property right in any

use of property allowed by the City's grant of a Special Use Permit nor does it create a right or expectation in the property owner to the City's issuance of a subsequent permit for the same use. The City may, at its sole discretion, based upon the health, safety, and welfare of the citizens of the City of Ladue and the community as a whole, revoke an existing Special Use Permit for violation of its terms or other exigent circumstances or decline issuance of further permits.

- d. Substantive complaints from previous events hosted by the organizer or violations of this Section by the event organizer shall be grounds for denial of permits.
- e. Any Special Use Permit issued according to this Section shall not be transferred to any other person or to any other location for the operation of a special event at that location.
- f. The following items are required to make application for a Special Use Permit for a Special Event:
 - i. Special Use Permit Application and fee (\$250 for non-profit organizations, \$500 for for-profit organizations).
 - ii. Special Event Request Form.
 - iii. A certificate of insurance from the property owner or leaseholder demonstrating general liability coverage of the business, organization, or event in an amount not less than \$500,000.00 per single incident. If event is to take place on City property or right-of-way, the City shall be named as an additional insured party.
 - iv. If event will utilize public right-of-way or public property, a statement acknowledging that the applicant agrees, at all times, to defend, indemnify, and to hold harmless the City of Ladue, its elected officials, officers, agents, and employees from any and all claims, demands, suits, proceedings, and actions, liability and judgment, costs, damages, losses, and expenses of any kind, including attorneys' fees, arising directly or indirectly from the special event.
 - v. A sketch of the property showing the areas of outdoor sales, food, entertainment, and other activities.
 - vi. Design and size of all temporary signage.
 - vii. Descriptions and/or pictures of any structures, decorations, tents, booths, or other items to be located on the site of event, that are different from the everyday activities of the site.

- viii. Any additional information reasonably necessary and relevant to the issuance of the Special Event Permit.
- g. Certain events shall be exempt from the requirements in this Subsection VII.(H), as follows:
 - i. Events described as follows shall be exempt from all City of Ladue Special Event Permit requirements, but shall otherwise comply with other applicable City ordinances:
 - (i) Gatherings held on school (public or private) or church property that are consistent with the expected use of that property.
 - (ii) Gatherings on a commercial property with all activities to take place inside a building, as long as event does not create excessive traffic congestion, burden nearby streets and parking areas, nor otherwise cause disruptive, unsafe, or inappropriate conditions.
 - (iii) Private events and social gatherings held entirely on private residential property or private clubs that do not create a nuisance or violate the sound ordinance, or involve the use of or have an impact on public property, facilities, or streets or rights-of-way, other than for lawful parking, and do not require the provision of city public safety services.
 - (iv) Expressive Events, which shall be defined as an activity in which persons are exercising their freedom of speech, such as assembling, demonstrating, or marching, and other similar means of expressing thoughts and ideas, so long as such expressions are conducted in an orderly manner and do not violate the noise ordinance or involve amplified music, fireworks, alcoholic beverages, amusement structures, or multiple vendor sales.
 - ii. Events sponsored by the City of Ladue shall be exempt from Special Use Permit requirements, but must obtain an Administrative Special Event Permit and meet all other applicable requirements. (Ord. 2157 added Sec. H)

G. The following is not a Special Use Permit, but shall be considered as an accessory to a Special Use Permit for Communication facilities:

1. Temporary Communication Tower or Antenna

- a. A temporary communication tower and communication antennas and all associated equipment or attachments (“Temporary Antenna”) may be authorized by the City Council in all zoning districts based on the following criteria:
 - i. Facility is necessary to avoid a gap in existing service resulting from and related to an unanticipated occurrence or approved permanent replacement or relocation of an existing communication tower and/or antenna,
 - ii. The Temporary Antenna is proposed to be located on a lot of no less than two (2) acres;
 - iii. Facility satisfies the criteria for issuance of a Special Use Permit in Section VII.C, and (C).

- b. The Temporary Antenna shall, as a condition of issuance of any building permit and other authorization for installation of a Temporary Antenna, be removed and the property restored to its original condition within thirty (30) days after completion of the permanent structure approved in conjunction with the Temporary Antenna, but in no event later than one hundred and eighty (180) days after its erection, as provided in the Building Code, unless otherwise extended by City Council upon a showing of good cause necessitating extension not within the control of applicant;

- c. The application complies with all otherwise applicable building code and zoning requirements, including as applicable to communication antennas, except that the Council approval shall substitute for and replace the procedural requirements otherwise applicable to Special Use Permits for approving a communications tower; and

- d. The proposed height, location, design, and appearance of the Temporary Antenna shall not materially detrimentally impact the view of the surrounding area, safety, or the surrounding property values or uses. The City Council may impose location, appearance or safety or other conditions as may be appropriate to address the temporary and unusual nature of the use and conform to the purposes of this Code.

SECTION 3. Items currently located in Section III, with content not being replaced by the new Section III will be relocated with no change in content, as follows:

- a. “Outdoor Display of Merchandise” shall be moved to enact a new Subsection I of Section IV - Additional Use Regulations.
- b. “Floodplain District” shall be moved to Subsection II.A.
- c. “Access Requirements” shall be moved to enact a new subsection VI.G and Section VI – Off-Street Parking and Loading Requirements, shall be hereby renamed “ACCESS, OFF-STREET PARKING, AND LOADING REQUIREMENTS”

- d. Subsections (a) through (e) in Section III under “Site Design Requirements” shall be moved as follows:
 - i. Subsections (a), (c), and (d) shall be moved to subsection VI.(D).
 - ii. Subsections (b) and (e) shall be moved to Subsection II.A.

SECTION 4. Section XIV of Ordinance 1175, the Zoning Ordinance of the City of Ladue, St. Louis County Missouri, is hereby amended to enact the following new definitions:

Art/ Photography Studio or Gallery: Facility for an artist, photographer, sculptor, or other visual art form for the purpose of creation, display, and sales.

Day Spa: an establishment that offers a combination of licensed massage therapy, spa tubs, pools, steam rooms, saunas, or other related accessory facilities and uses and may include a combination of non-medical personal services such as hair, nail, skin care, and hair removal treatments or other services typically found in a beauty salon. A beauty salon, barber shop, or nail care establishment that does not provide a combination of massage therapy, spa tubs, pools, steam rooms, saunas, or other related accessory facilities and uses shall not be classified as a day spa.

Massage Parlor: a commercial establishment which provides the service of massage or body manipulation, including exercise, and which also provides its patrons with the opportunity to engage in “Sexual Conduct,” as defined in Chapter 573 of the Missouri Revised Statutes.

Massage Therapy: a health care profession which involves the treatment of the body’s tonus system through the scientific or skillful touching, rubbing, pressing or other movements of the soft tissues of the body with the hands, forearms, elbows, or feet, or with the aid of mechanical apparatus, for relaxation, therapeutic, remedial or health maintenance purposes to enhance the mental and physical well-being of the client, but does not include the prescription of medication, spinal or joint manipulation, the diagnosis of illness or disease or any service or procedure for which a license to practice medicine, chiropractic, physical therapy or podiatry is required by law, or to those occupations defined in chapter 329, RSMo.

Medical/Dental Office: – A medical office providing preventative care and treatment by a licensed healthcare professional by appointment. Up to 3 practitioners may be located in this office. No overnight boarding may take place.

SECTION 5. The list of prohibited uses in Section II.A.(10) shall be deleted and re-enacted with modifications as Section III.D., as shown in SECTION 1 of this ordinance.

SECTION 6. References to the G Commercial Zoning District in the Zoning Code and not modified by this Ordinance shall be changed to refer to both the G1 and G2 Commercial Zoning Districts.

SECTION 7. Other sections and subsections of the Zoning Code that refer to items in Sections III and VII that have been relocated will be updated to the correct new section or subsection.

SECTION 8. The zoning map shall be hereby amended according to the attached Exhibit A. The entirety of each of the contiguous commercial zoning sections shall be assigned to the G1 or G2 zoning districts as labeled on the map.

SECTION 9. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds that the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 10. This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED THIS 20TH DAY OF FEBRUARY, 2018.

President, City Council

APPROVED AND ADOPTED THIS 20TH DAY OF FEBRUARY, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk