

**ORDINANCE NO. \_\_\_\_**

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

**AN ORDINANCE AMENDING SECTION 7.5 – APPLICATION REQUIREMENTS OF SECTION 7 – COMMERCIAL, OFFICE, AND/OR INDUSTRIAL PLANNED DEVELOPMENT AND SECTION 1.5 OF APPENDIX A OF THE UNIFIED DEVELOPMENT ORDINANCE RELATED TO TRAFFIC STUDY REQUIREMENTS AND LEVEL “D” SERVICE.**

**WHEREAS**, Section 7 of the Unified Development Ordinance (“UDO”) governs Commercial, Office and/or Industrial Planned Developments and sets forth procedures for the same; and

**WHEREAS**, Subsection m) of Section 7.5 of the UDO requires the applicant to submit a traffic study that must determine that the proposed traffic will maintain at least a “d” level of service; and

**WHEREAS**, the Board of Aldermen has discussed this requirement on April 25<sup>th</sup> and May 9<sup>th</sup> and determined that providing some flexibility while keeping an objective standard should be considered by the Planning and Zoning Commission to determine if any amendment to the requirement for non-residential developments would be in the best interest of the City; and

**WHEREAS**, the Planning and Zoning Commission met on June 7, 2023, to discuss an amendment to Section 7.5 of the UDO and a related clarification amendment to Section 1.5 of Appendix A of the UDO and, after consideration of the same, made a recommendation of \_\_\_\_\_ to the Board of Aldermen; and

**WHEREAS**, the Board of Aldermen held a duly noticed and published public hearing on \_\_\_\_\_ regarding the proposed amended regulations in conformity with all requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

**Section 1.** Section 5 – Application Requirements of Section 7 – Commercial, Office and/or Industrial Planned Development of the UDO is hereby amended by amending Subsection m of Section 7.5 by adding [text] to read as follows:

m) A professional traffic study performed by a firm chosen by the City showing the proposed traffic circulation pattern within and in the vicinity of the area of the planned development, including the location and description of public improvements to be installed, any streets and access easements, and any impact on current conditions. The traffic study must determine that the proposed traffic will maintain at least a “d” level of service or if the proposed development will result in below a level “d” service, the traffic study must find no greater than a 20% increase in the number of seconds for the proposed development.

**Section 2.** Section 1.5 – General Development Standards of Appendix A of the UDO is hereby amended by amending Subsection 1) by adding [text] to read as follows:

1) The approval of planned development may provide for such exceptions from the regulations associated with traditional zoning districts as may be necessary or desirable to achieve the objectives of the proposed planned development. No planned development shall be allowed which would result in:

- a. Inadequate or unsafe vehicular access to the development;
- b. Traffic volumes exceeding the capacity of the adjoining or nearby streets. Capacity for residential projects shall be based on a street providing "level of service D" as defined in the latest publication of Transportation and Traffic Engineers Handbook, Institute of Transportation Engineers
- c. An undue burden on public parks, recreation areas, schools, fire and police protection and other public facilities or utilities which serve or are proposed to serve the planned development;
- d. A failure to comply with the performance standards referenced in Section 4.12 or
- e. Other detrimental impacts on the surrounding area including, but not limited to, visual pollution.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR