

APPENDIX A UNIFIED DEVELOPMENT ORDINANCE¹

SECTION 1. GENERAL

1.1 Purpose and Scope of Unified Development Ordinance.

1.1.1 **General:** For the purpose of promoting health, safety, morals or the general welfare of the community, the City of Sunset Hills Unified Development Ordinance, in accordance with the Revised Statutes of Missouri, provides for the following:

- 1) To regulate and restrict the height, number of stories, and size of buildings and other structures;
- 2) To regulate and restrict the percentage of lot that may be occupied;
- 3) To regulate and restrict the size of yards, courts, and other open spaces;
- 4) To regulate and restrict the density of population;
- 5) To regulate and restrict the location and use of buildings, structures and land for trade, industry, residence, or other purpose; and
- 6) To establish other regulations of land use and development that is consistent with the statutory authority afforded to the City of Sunset Hills so as to promote the public health, safety, morals, and general welfare of the City.

1.1.2 **Comprehensive plan:** The Unified Development Ordinance is designed to be consistent with policies of the comprehensive plan as adopted by the City, and as may be amended from time to time, and further is designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water sewerage, schools, parks, and other public requirements.

1.2 Applicability.

Except as otherwise provided for in Section ~~10-11~~, "Non-conforming Situations," all structures erected hereafter, all uses of land or structures established hereafter, all structural alterations or relocation of structures occurring hereafter, and all enlargements or additions to existing uses occurring hereafter shall comply with the regulations of this Ordinance.

¹Editor's note(s)—Ord. No. 2256 , § 1(Exh. B), adopted Sept. 13, 2022, repealed the former Appendix A, §§ 1—16, and enacted a new Appendix A, Unified Development Ordinance as set out herein. The former Appendix A pertained to subdivision regulations and derived from: Ord. No. 1298, § 1, adopted Jan. 13, 1998; Ord. No. 1505, § 1, adopted Aug. 13, 2002; Ord. No. 1650, § 1, adopted Oct. 10, 2006; Ord. No. 1721, § 1, adopted Apr. 22, 2008; Ord. No. 1730, § 1, adopted Aug. 12, 2008; Ord. No. 1760, § 1, adopted Dec. 8, 2009; Ord. No. 1838, § 1, adopted June 12, 2012; Ord. No. 1948, § 1, adopted Mar. 10, 2015 ; Ord. No. 2000, § 1, adopted Feb. 23, 2016 ; and Ord. No. 2247 , §§ 1.a—d, adopted June 14, 2022. See § 6 herein for current subdivision regulations.

1.3 Interpretation.

The provisions of this Ordinance shall be considered the minimum requirements for the promotion of the public health, safety, morals, and general welfare. Wherever the regulations of this Ordinance require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other statute or local ordinance or regulation, the provisions of the regulations of this Ordinance shall govern. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the regulations of this Ordinance, the provisions of such statute or local ordinance or regulation shall govern.

1.4 Validity and severability.

1.4.1 **Legislative intent:** It is hereby declared to be the legislative intent that:

- 1) If a court of competent jurisdiction finds any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- 2) If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building or structure to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property or situations, shall not be affected.
- 3) While any provision or provisions of this Ordinance or application of any provision or provisions of this Ordinance to any lot, building or structure is before a court of competent jurisdiction, all other provisions of this Ordinance and all other applications of the provisions of this Ordinance to other lots, buildings or structures shall continue to be separately and fully effective.

1.5 Repeal of previous ordinances.

Ordinance number 1516, adopted November 12, 2002, approving the zoning regulations contained in Appendix B of the Code of Ordinances of the City of Sunset Hills, and any other ordinance amending said Appendix B are hereby repealed, except for any ordinance approving a preliminary or final development plan under the provisions of Section 4.10 (Planned Development) of said zoning regulations. Said zoning regulations are set forth herein as "Appendix A, Planned Development".

Ordinance number 1077 adopted May 4, 1993, approving the zoning regulations contained in Appendix A of the Code of Ordinances of the City of Sunset Hills, and any other ordinance amending said Appendix A are hereby repealed.

1.6 Construction begun prior to adoption of Ordinance.

Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any buildings or structures upon which actual construction has been approved or was lawfully begun prior to the adoption of this Ordinance and upon which buildings or structures actual construction has been diligently carried on, and provided further that such buildings or structures shall be completed within two years from the date of passage of this Ordinance.

1.7 Restoration of unsafe buildings.

Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building declared unsafe by the zoning enforcement officer or where required by any lawful order.

1.8 Saving clause.

All rights or remedies of the City are expressly saved as to any and all violations of any previous zoning ordinance or amendments thereto, at the time of the effective date of this Ordinance or amendments thereto and the prosecutions of such violations shall not be abated by the enactment of this Ordinance or amendments thereto.

SECTION 3. DISTRICT REGULATIONS

3.1 General.

The following sections provide specific regulations regarding the use and development of property within the various zoning districts. These district regulations are supplemented by additional regulations appearing elsewhere in this Ordinance or other regulations contained in the Sunset Hills Code of Ordinances. Other regulations contained in this Ordinance that provide development standards includes, but is not necessarily limited to, the following:

- 1) Section 4, Development Standards **and Review**

3.2 Zoning Districts.

3.2.1 **POS District.** The purpose of the Parks and Open Space District is to encompass those areas in the City that are under either public or private ownership and are parks, open space, vacant land, or agricultural land.

3.2.2 **NU District.** The purpose of the NU Non-Urban District is to encompass areas within which rough natural topography, floodplains, or locations create practical difficulties in providing and maintaining public roads, and public or private utility services. The district also encompasses areas where significant non-urban uses have been established and/or were zoned NU by St. Louis County prior to being annexed into the City of Sunset Hills.

3.2.3 **R-1 District.** The purpose of the R-1 District is to protect and preserve areas of low-density, estate-type, residential development and to allow for the construction of new single family detached dwellings on lots of not less than one (1) acre in size.

3.2.4 **R-2 District.** The purpose of the R-2 District is to protect and preserve areas of low-density residential development and to allow for the construction of new single family detached dwellings on lots of not less than twenty-thousand (20,000) square feet in size.

3.2.5 **R-3 District.** The purpose of the R-3 District is to protect and preserve areas of medium to low-density residential development and to allow for the construction of new single family detached dwellings on lots of not less than fifteen thousand (15,000) square feet in size.

3.2.6 **R-4 District.** The purpose of the R-4 District is to protect and preserve areas of medium-density residential development and to allow for the construction of new single family detached dwellings on lots of not less than ten thousand (10,000) square feet in size.

- 3.2.7 **R-5 District.** The purpose of the R-5 District is to protect and preserve areas of medium to high-density residential development and to allow for the construction of new single family detached dwellings on lots of not less than seven thousand five hundred (7,500) square feet in size.
- 3.2.8 **R-6 District.** The purpose of the R-6 District is to protect and preserve areas of high-density residential development and to allow for the construction of new single family detached dwellings on lots of not less than five thousand (5,000) square feet in size. ~~Attached two-story, single family town homes or attached ranch style dwelling single family units may be permitted on combined lots pursuant to an approved plan.~~
- 3.2.9 **LC District.** The intent and purpose of the Local Commercial District is to accommodate retail and office uses of a smaller scale which are intended to provide convenience shopping and services to persons living in adjacent residential areas.
- 3.2.10 **GC District.** The intent and purpose of the General Commercial District is to accommodate retail and wholesale uses serving a larger consumer population. A wider range of uses and structure sizes is permitted in a commercial center and outlot style development.
- 3.2.11 **LI District.** The intent and purpose of the Light Industrial District is to accommodate such uses as light manufacturing, fabricating, assembly, disassembly, or processing of goods and products, the nature of which does not have an adverse impact on surrounding uses.
- 3.2.12 **PO District.** The intent and purpose of the Professional Office District is to provide an environment suitable for office, research, and warehouse uses developed in a coordinated and complimentary manner to create a park-like atmosphere. Activities and scale are limited to assure high quality development and to limit adverse impacts on surrounding uses.

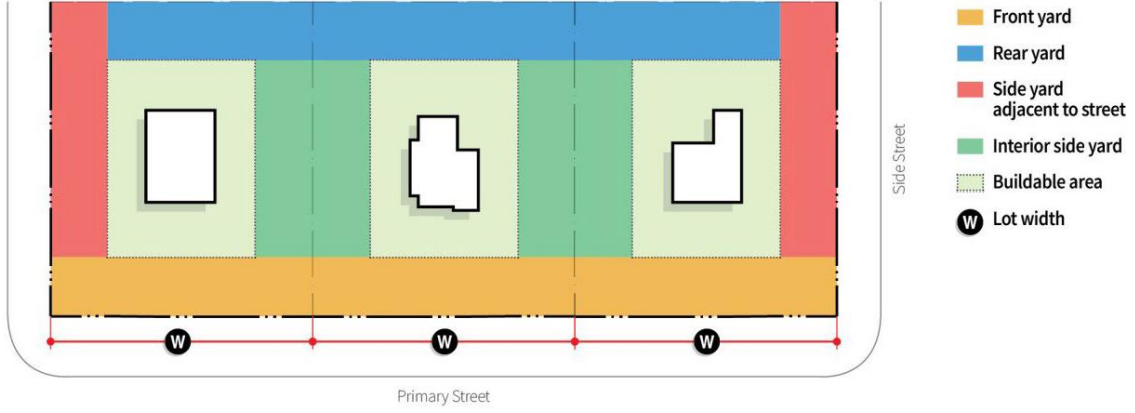
3.3 Dimensional Standards.

The following table addresses the dimensional (also known as bulk standards) applicable to the development or use of a lot in a given district. The dimensional standards by planned development district are specified in Appendix A, Section 4 - Development Standards.

DISTRICT	LOT AREA (sq/ft)	LOT WIDTH (ft)	FRONT SETBACK (ft)	INTERIOR SIDE SETBACK (ft)	SIDE SETBACK ADJACENT TO STREET (ft)	REAR SETBACK (ft)	PRIMARY USE COVERAGE (%)	IMPERVIOUS SURFACE COVERAGE (%)	TOTAL LOT COVERAGE (%)	HEIGHT (ft)
POS	n/a	n/a	n/a-50	n/a 15	n/a 15	n/a 35	n/a 15	n/a	n/a	n/a-40
NU	127,680	150	50	15	15	35	15	n/a	n/a	40
R-1	43,560	150	50	15	50	35	15	-	-	40
R-2	20,000	80	40	10	40	30	20	-	-	40
R-3	15,000	80	40	10	40	30	20	-	-	40
R-4	10,000	60	30	10	30	30	25	-	-	40
R-5	7,500	50	30	7	30	30	25	-	-	40
R-6	5,000	40	20	3	20	15	60	-	-	40
LC	10,000	50	10	0 (b)(c)	10 (b)(c)	25 (b)(c)	n/a	n/a	85	50
GC	20,000	100	10	0 (b)(c)	10 (b)(c)	0 (b)(c)	n/a	n/a	80	75
LI	40,000	200	10	0 (b)(c)	10 (b)(c)	0 (b)(c)	n/a	n/a	80	50
PO	100,000	50	40	15 (b)(c)	40 (b)(c)	30 (b)(c)	65	-	-	50

- a) Total lot coverage of up to 60% shall be allowed for police and fire stations.
- b) Setbacks when the subject property is adjacent to a residentially zoned property shall be: 75 feet for buildings less than 24 feet in height, 150 feet for buildings between 24 and 35 feet in height, and 150 feet plus 10 additional feet per every foot of building height for buildings over 35 feet in height.
- c) Footnote b) shall apply except for properties along the east side of S Kirkwood Rd from Deane Ct to Watson Rd, along the north side of Watson Rd from S Kirkwood Rd to Windward Ridge Dr, along the north side of Gravois Rd, between Lindbergh Blvd & Sunlind Dr, Lot 12-16 of Sunset Club Ct, being located on the north side of Gravois Rd, immediately west of Sunlind Dr, and Lot 44-48 in Block 3 of Sunset Manor Subdivision being located on the north side of Deane Ct when and owned and developed by a utility regulated by the Missouri Public Service Commission, that are adjacent to a residentially zoned property, which shall provide a minimum setback of 15 feet.

Dimensional Standards
3.3



3.4 Use Regulations.

The following uses shall be permitted in the applicable districts as indicated in the table of permitted uses, found at the end of this section.

- 1) **Permitted Uses.** Except as provided below, uses which are marked by a "P" in the table shall be allowed with a zoning permit.
- 2) **Conditional Uses.** Uses which are marked by a "C" in the table shall be allowed with a conditional use permit.
- 3) **Uses Not Permitted.** Uses not marked by either a "P" or "C" in the table are not permitted. Uses not permitted are prohibited.
- 4) **Uses not listed.** In the event that a use is proposed that is not listed in the table, the City Administrator or her/his designee shall determine if the use is the same or similar to a use listed in the table. If it is, he or she shall treat the use in the same manner as the "similar" use. If not, he or she shall treat the use as not permitted. If the applicant is not satisfied with the determination, they may appeal to the Planning and Zoning Commission.

- 5) **More Than One Use on a Lot.** Where a single business entity proposes to or is engaged in more than one principal use on a lot, or where two or more uses are located on one lot, each use must be a permitted use in the district in which it is located.
- 6) **Uses in Planned Development Districts.** The uses for Planned Development Districts that existed prior to the adoption of this Ordinance, are specified in Appendix A, Planned Development Districts. New Planned Development Districts for Commercial, Office, and/or Industrial uses shall be established in accordance with Section 7 of the UDO and shall be set forth within the Ordinance governing such Planned Development District.

(Ord. No. 2279 , § 1, 3-14-2023)

Use	POS	NU	R-1	R-2	R-3	R-4	R-5	R-6	LC	GC	LI	PO	Use Specific Standards
Single-family Dwellings													
Single-family detached		P	P	P	P	P	P	P					
Single-family attached													
Multi-family Dwellings													
Multifamily Dwelling													
Senior Housing													
Dwelling units located above ground floor as part of mixed use													
Group homes		P	P	P	P	P	P	P					
Temporary Dwellings													
Boarding Homes													
Roominghouse													
Tourist home													
Short-term rentals													
Domiciliary Homes and Institutions													
Childcare facilities									P	P		C	
Family care homes													
Assisted living facility													
Nursing homes													
Hotels and Motels													
Hotel									C	C			5.6
Educational Uses													
Nurseries or preschools			C	C	C	C	C	C	P	P		C	5.4
Schools (elementary, middle, high)			C	C	C	C	C	C					5.4
Colleges and universities			C	C	C	C	C	C			C	C	
Vocational and trade schools			C	C	C	C	C	C			C	C	
Religious													
Places of worship		C	C	C	C	C	C	C	P	P		C	
Convents, monasteries, and seminaries		C							C	C		C	

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(Supp. No. 24)

Cemeteries and mausoleums*	P		C	C	C	C	C	C					5.3
Crematorium													
Funeral homes (Personal Services)									P	P			
Other Educational, Religious, Cultural													
Library			C	C	C	C	C	C	P	P			5.7
Museums and Cultural Institutions									P	P			
Emergency Services			C	C	C	C	C	C	P	P			
Public Safety facility (police, fire, ambulance)		P					C	C	P	P	P	P	
Municipal Buildings		P	P	P	P	P	P	P	P	P	P		
Recreation Uses	P	C	C	C	C	C	C	C				P	
Health, athletic, recreation, and amusement facilities, indoor	P								P	P			
Parks, playgrounds, and skating rinks publicly owned and operated	P	C	C	C	C	C	C	C					
Swimming pools, athletic fields, and other recreational facilities, publicly owned and operated	P		C	C	C	C	C	C					
Amphitheatre, Bandshell, and Outdoor Theaters	P												
Swimming Pools and Aquatic Centers (Indoor and Outdoor)	P								C	C			
Private club, lodge, and recreation facilities													
Private Club	P		C	C	C	C	C	C					
Marina	C		C	C	C	C	C	C					
Golf Course, public or private	P	C	C	C	C	C	C	C					
General Office Uses													
Banks, no drive-in									P	P		P	
Banks, drive-in									C	C	C	P	5.10
Drive-up Automatic tellers									C	C	C	P	5.10
Pay-day loan													
Post office*									P	P			
Other general offices									P	P		P	
Professional Office Uses									P	P		P	
Service oriented business office									P	P		C	
Contractor's office									P	P		C	
Home occupations		P	P	P	P	P	P	P					4.10
Medical Uses													
Acute care center									P	P		P	
Hospital									P	P	P	P	5.5

Medical or Dental Office										P	P		P	
Pharmacy										P	P	P	C	
Services														
Hair, nail, tanning, and personal care services										P	P		C	
Service and repair, clothing, and small appliance										P	P		C	
Mail, copying, parcel, and printing services										P	P		C	
Tattoo parlors										-	-	P		
All other personal service oriented uses										C	C			
Laundries														
Launderettes (self-service dry cleaning)										P				
Dry cleaning processing on premises										C	C			
Dry cleaning/processing done elsewhere										P				
Commercial laundries											C			
Animal Care Uses														
Animal Hospitals										C	C			
Kennels and Pet Daycares										C	C	C		
Pet grooming										P	P			
General Retail														
Retail Sales, General										P	P			
Retail Sales, Outdoor										C	C			
Bakeries										P	P			
Candy and ice cream stores										P	P			
Convenience store										C	C			
Grocery stores										P	P			
Liquor stores, package goods only										P	P			
Pawn shop												C		
Clothing and costume rental										P	P			
Pet shops										P	P			
Greenhouses	C	C								P	P	C		
Open sales lots										C	C			
Plumbing, heating, and air conditioning										C	C	P		
Sale of liquid fuels (stored underground)										C		P		
Secondhand stores and consignment shops										P	P			

Gun shops										C	C			
Adult Uses												C		
Eating and Drinking Establishments														
Coffee/Tea Shop										C	C		C	
Sit-down Restaurants										C	C		C	
Drive-through Restaurants										C	C			5.10
Taverns and brewpubs										C	C			
Delivery Only/Carry-Out Restaurants										C	C		C	
Delicatessens										C	C		C	
Outside dining; sidewalk cafes										C	C		C	
Meeting Facility or Banquet Hall														
Banquet Hall										C	P			
Motor Vehicle Oriented Businesses														
Gasoline service/sales										C	C			5.8
Vehicle repair and service										C	C	C		5.8
Car wash										C	C			5.2
Vehicle sales and rental										C	C	C		5.8
Vehicle storage										C	C	C		5.8
Wholesale, Distribution, and Storage Facilities														
Wholesale sales											P	P		
Distribution center											P	P		
Garden supply and seed stores											P	P		
Nurseries											C	P		
Lumber yards												P		
Contractor supply houses											C	P		
Auction sales											C	C		
Nonhazardous inside storage												P		
Nonhazardous outside storage												C		
Industrial Uses														
Laboratories, medical and dental											P	P	P	
Research laboratories											P	P	P	
Light manufacturing												P		
Breweries and distilleries										C	C	P		
Mining and mineral extraction												P		
Medical Marijuana Uses														
Medical Marijuana Cultivation Facility												P		5.11
Marijuana Testing Facility												P		5.11
Medical Marijuana-Infused Products Manufacturing Facility												P		5.11
Medical Marijuana Dispensary Facility										C		P		5.11

Comprehensive Cultivation Facility												P		5.11
Marijuana Microbusiness Wholesale Facility												P		5.11
Comprehensive Marijuana-Infused Products Manufacturing Facility												P		5.11
Comprehensive Dispensary Facility										C	C	P		5.11
Marijuana Microbusiness Dispensary Facility										C		P		5.11
Marijuana Transportation Facility												P		5.11
Marijuana Research Facility												P		5.11
Communications Antenna Uses														
Radio, cellular and television towers (up to 35 ft)	C		C	C	C	C	C	C	C	C	C	C	C	
Radio, cellular and television towers (above 35 ft)	C		C	C	C	C	C	C	C	C	C	C	C	
Major Utility Uses														
Electric distribution, electric substation	C	C	C	C	C	C	C	C	C	C	C	P	C	
Gas regulator stations	C	C	C	C	C	C	C	C	C	C	C	P	C	
Microwave relay towers	C	C	C	C	C	C	C	C	C	C	C	P	C	
Sewage lift stations	C	C	C	C	C	C	C	C	C	C	C	P	C	
Static transformer stations	C	C	C	C	C	C	C	C	C	C	C	P	C	
Telephone exchanges	C	C	C	C	C	C	C	C	C	C	C	P	C	
Telephone transmission, equipment buildings	C	C	C	C	C	C	C	C	C	C	C	P	C	
Water system facilities	C	C	C	C	C	C	C	C	C	C	C	P	C	
Wastewater treatment plants	C	C		C	C	C	C	C	C	C	C	P	C	
Energy generating stations	C	C	C	C	C	C	C	C	C	C	C	P	C	
Transportation Uses														
Bus shelters and parking areas			C	C	C	C	C	C	C	C	C	P	P	
Bus stations, bus garages, bus lots										C	C	P	C	
Taxi stands										C	C		P	
Towing												C		
Agricultural Uses														
Row crops only, no accessory retail sales	P	C	C	C										
Row crops only, accessory retail sales	P	C												
Silos	P	C												

Hatcheries or fish	P	C											
Equipment sales and repair										P	P		
Temporary Uses													
Temporary uses related to construction	C		C	C	C	C	C	C	C	C	C	C	
Temporary Portable Outdoor Storage Unit			P	P	P	P							5.9