

- **The UDO drastically reduces the lot sizes of over 1,000 residential parcels**

This statement is inaccurate. No lot sizes are automatically reduced due to the new zoning map. While some minimum lot sizes may be changing, all lots currently platted will stay the same. For a lot to be physically reduced in size it would require a lot split or boundary adjustment, both of which require applications to Planning and Zoning and/or the Board of Aldermen. It is highly unlikely that any existing homes would file an application to the City to simply reduce their lot size.

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **129 NU lots (these are lots with 3 acre minimums) will be eliminated and will have minimum lot sizes of 1 acre or, in some cases, 15,000 sq ft - meaning 100 acres which could currently accommodate 30 homes would fit more than 100 homes**

As proposed, the NU zoning district is going away along with C-1, R-5, R-6 and all the PD districts. The properties that are currently NU will be rezoned to other districts. Some, such as Forest Circle, which are mostly 20,000 sq foot lots, will be rezoned to R-2, which is for properties around 15,000 sq ft lots. Since there is no longer a need for NU the larger lots will be zoned R-1. However, just because a lot is rezoned from NU to R1 does not automatically split the lot. Again, these lots could remain. For any lot to be split it requires review by Planning and Zoning and approval from the Board of Aldermen.

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **490 R2 lots will be reduced from a minimum of 20,000 sq ft to 15,000 sq ft (102 of these are lots are 30,000 sq ft or larger - meaning an existing single home lot would accommodate 2 homes)**

*This statement is misleading. A 30,000 sq ft lot cannot automatically accommodate 2 homes just based on its size. As proposed, any R2 lot would require a minimum lot area of 15,000 and a minimum lot width of 80 feet, which all 102 lots do not. For a lot to be legally split into two lots in the new R2, it would need to be at least 30,000 square feet in area and have a width of at least 160 feet. And even if a lot was large enough to split, many of these lots have nice existing homes and splitting the lot would make no sense economically. It would not be feasible to tear down a nice home for the purpose of selling an extra lot. The numbers do not make sense. The proposed R2 change actually only affects a small number of properties where a lot split **may** make sense for an additional home. These are locations where a lot split would still fit in with the surrounding properties. For any lot to be split it requires review by Planning and Zoning and approval from the Board of Aldermen.*

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **539 R4 lots currently having a minimum lot size of 10,000 sq ft will be reduced to 7,500 sq ft (131 of these lots are over 15,000 sq ft, meaning each existing single home parcel could accommodate 2 homes). Currently there are only 83 lots with this 7,500 sq ft minimum lot size requirement.**

This statement is misleading. The 539 lots are zoned R-4, which has a minimum lot size of 10,000 sq ft, the lots do not have a minimum lot size of 10,000 sq ft. Many of the 539 homes currently are smaller than 10,000 sq ft. Same as above. Just because a lot is 15,000 sq feet does not automatically mean it can be split. Each lot must also have 50 foot lot width. Many of these properties also have homes currently existing and it would not be feasible to tear down the structure in order to gain a lot of 7,500 sq ft. Very

few of the 539 properties can meet the requirements and even fewer are an opportunity for a lot split based on the current structure on the property. And again, for any lot to be split it requires review by Planning and Zoning and approval from the Board of Aldermen.

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **90-plus R1 lots currently having a one acre minimum lot size will be reduced to 15,000 sq ft. Many of these lots are over one acre meaning a parcel now zoned for one home could accommodate 3 or more homes. The Moore property in Tapawingo is one of these. At 13 acres its existing zoning would permit 13 homes. Under the proposed code it could fit 37.**

The 90 plus lots going from R-1 to R-2 are located in a few areas throughout the City. The lots are currently a mix of lots over 1 acre and under 1 acre. The areas that are being considered for this change are located in areas where the nearby parcels are zoned R-2, R-3 or are incorrectly currently zoned NU.

The Moore property is currently zoned PD-MXD, not R-1. If the Moore property were to be developed an amended development plan, planned development, or rezoning application would have to be approved by the Board of Aldermen. The Board of Aldermen would then have the ability to control the density of any such development. The reason for the proposed R-2 zoning is because the majority of the surrounding area (Tapawingo) has lots around 20,000 sq ft. A small number of the lots are over an acre, therefore it would fit more closely to R-2 than R-1, based on our current district areas.

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **The UDO will instantly increase the number of residential lots by 20%**
- **According to Houseal Lavigne, the Chicago consultant hired to draft the new code and zoning map, Sunset Hills currently has 3,181 residential lots. The UDO will increase that to 3,827.**

This is incorrect, and staff is not sure how this calculation was generated. If it is referring to the potential to split lots to come to that new total, again, that would not happen automatically. The only way a lot can be split is through application to Planning and Zoning and/or the Board of Aldermen. It seems highly unlikely that hundreds if not thousands of property owners would attempt to split their lots, especially if homes are already built upon them. Conversely, if this point is referring to the fact that some lots are being rezoned from PD to residential, then that is misleading. There are several areas of the City, such as Tapawingo and Grandview that are zoned as a PD. In the new code they are proposed to be zoned residential, i.e. R2. While that technically may result in the addition of residential lots to the City, that is a matter of semantics as there are already homes built on these lots so for all intents and purposes they are currently residential lots.

***Update – On November 12th the Board directed Houseal Lavigne to revert the map back to the current six (R1-R6) residential zones. This will further mitigate this concern.*

- **Cluster homes and multi-family attached housing will flourish under section 8 of the UDO**
Existing restrictions regulating the location, density, size, common ground, setbacks, for cluster home developments will be abolished.

This is incorrect and misleading. The existing zoning district of PD-Cluster Homes is proposed to be removed, that is correct. However, any type of cluster home development would be required go through

the Planned Development process, which will scrutinize every aspect of the proposal, including location, density, size, common ground and setbacks. And again, the PD must meet the underlying zoning for where its proposed. Section 8 describes this process very thoroughly. All existing PD districts are proposed to be removed in the new code and the concept would be replaced them with the new Planned Development overlay process (which is the zoning standard in most cities in the St. Louis area and beyond)

- **Such developments will be permitted in any residential district in any neighborhood on any size lot.**

This is misleading. Yes, an applicant can apply wherever they want but they are not permitted by right, same as the existing code. A development must meet the underlying zoning district requirements or propose a Planned Development, which must be approved by the Board of Alderman and go through the PD process described in Section 8 of the new code.

- **The express purpose of Section 8 is to streamline approval of developments that deviate from zoning standards.**

This statement is incorrect and misleading as it is actually only one of eight purposes for creating the Planned Development process. New section 8 actually provides several standards and review criteria which will significantly increase the level of review and scrutiny of any new development being proposed. Per the proposed code:

The purpose of the regulations, standards, and criteria contained in this Chapter is to provide an alternate zoning procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this Chapter. The objective of the planned development is to encourage a higher level of design, amenity, and public benefit than is possible to achieve under otherwise applicable zoning regulations. The end result can be a product which fulfills the objectives of city plans, including but not limited to the Comprehensive Plan and all other relevant plans, and planning policies of the City while departing from the strict application of the use and bulk regulations as detailed in Section 3 of this Title. The planned development is intended to permit and encourage such flexibility and to accomplish the following purposes:

1. *To stimulate creative approaches to the commercial, non-single-family detached residential, industrial, and mixed-use development of land.*
 2. *To streamline the approval process for development that deviates from zoning standards.*
 3. *To provide more efficient use of land.*
 4. *To preserve natural features and provide open space areas and recreation areas in excess of that required under existing zoning regulations.*
 5. *To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.*
 6. *To unify building and structures through design.*
 7. *Promotion of long-term planning pursuant to the City of Sunset Hills Comprehensive Plan and other relevant plans and planning policies of the City, which allow harmonious and compatible land uses or combination of uses with surrounding areas.*
 8. *To find creative solutions to stormwater and sustainability related issues.*
- **Section 8 PERMITS such developments to “diminish or impair property values within the neighborhood”. Section 8 requires only that this diminution or impairment not be “substantial”. Why should residents suffer any loss of value? Why should the City decide how much is permissible?**

This statement is misleading, as property values is but one of several standards that must be met. Section 8.2 – Standards for Review of the new proposed code provides a more thorough explanation and

full list of standards. The Board of Alderman, elected by the citizens, will determine whether the application meets the standards, as is the case with all zoning processes including text amendments, rezoning, or conditional uses. Any potential loss of value would certainly be a consideration of the Board and staff in making their review and decision, but to say the code permits a loss of property value is misleading.

- **The protest provision, which is the resident's last line of defense to stop unwanted developments, was stripped from the code representing a ceding of residents' rights to the city.**

This is incorrect. The protest provision still exists in the code, including for the planned unit development process.

- **Finally, there is the troublesome Section 8 which allows an alternative approval process for developments (think cluster homes) which do not conform to the underlying established zoning. Section 8 is the Planned Unit Development (PUD) section of the ordinance.**

PUDs are commonly used by municipalities across the country for the expressed purpose of accommodating development flexibility while ensuring quality and providing a heightened level of development review. Again, all standards of review must be met for approval to be granted to any PUD application.

- **For starters, multi-family homes are still permitted in all residential zoning districts which unnecessarily puts homeowners forever on the defensive. No other municipality allows this. Such developments should be limited to transitional areas as stated in the city's comprehensive plan.**

Multi-family is not a permitted use in all residential districts. For multifamily development to be approved, public hearings must be conducted, neighbors must be noticed, any developer would need to meet with the neighbors before even making an application, all standards of review would need to be met, and any such development would need to be approved as a planned unit development by the Board of Alderman. The comprehensive plan does not say to limit multifamily to transition areas. Other municipalities take a similar approach to planned developments.

Text from the comprehensive plan clearly states the intent to increase housing options in Sunset Hills including townhomes, multi-family, rental and owner-occupied. The excerpt below is text from the comprehensive plan:

Increasing Housing Product Options

Sunset Hills is largely defined by its estate homes and high-quality residential character which is an important local community value. While single-family detached residential homes are preferred and will likely remain the most common land use type in Sunset Hills, the City should still encourage a breadth of housing products. This includes the development of townhomes and multi-family products that are both owner- and renter-occupied. These uses are best placed near commercial areas to encourage walkability and serve as a land use transition to single-family residential neighborhoods. Further, these housing product options will appeal to young families, downsizing retirees, senior citizens, and others that do not desire large single-family homes on large, maintenance-intensive lots.

The most likely opportunities to add new housing product types is any potential redevelopment of Sunset Hills Golf, the Highway 30 frontage immediately adjacent to it, and the N. G. Heimos Greenhouses site. Any potential redevelopment of these sites should occur based on the voluntary intentions of the private property owners and while a range of development projects may be considered, the addition of new housing units should be considered by the City.