





**Planning and Zoning Basics
Educational Series**

Provided By: Department of Community Development




OCT. 28, 2015
(Wed.)

Topic: Comprehensive Plans

NOV. 17, 2015
(Tue.)

Topic: Planning and Zoning Overview

JAN. 27, 2016
(Wed.)

Topic: Conditional Use Permits; Site Plan Review

FEB. 24, 2016
(Wed.)

Topic: Zoning Map Amendments (Rezoning);
including PD—Planned Development District

MAR. 23, 2016
(Wed.)

Topic: Zoning/Subdivision Code Text Amendments; Subdivision Process

Apr. 27, 2016
(Wed.)

Topic: Zoning Variances; Historic Preservation Review

- **FREE, NO RSVP REQUIRED!**
- **Open to PUBLIC and Anyone Interested!**
- **Time: 5:30pm—6:15pm**
- **Location: Heman Park Community Center (975 Pennsylvania Ave.)**
- **For more information, please contact: Zach Greatens, Planner / Zoning Administrator, (Department of Community Development), (314)505-8501, zgreatens@ucitymo.org**



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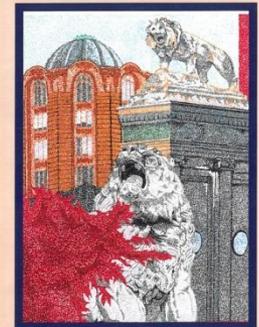
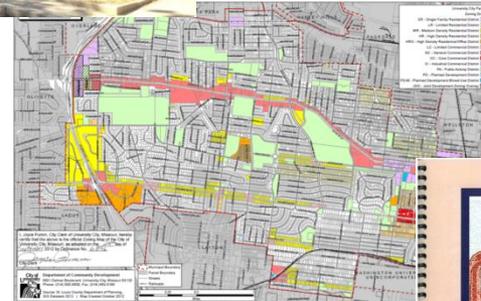
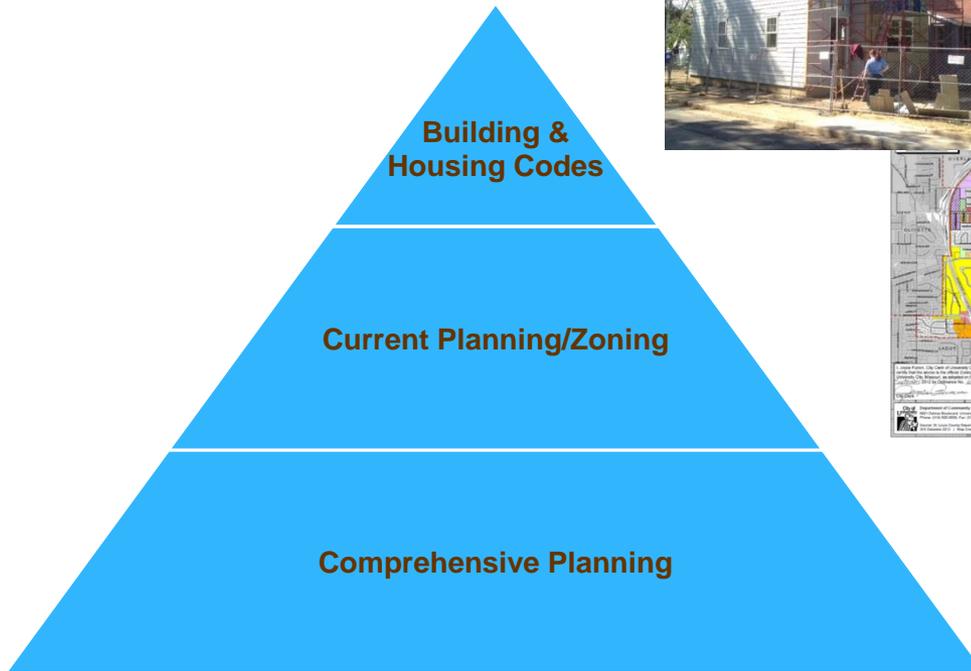


Session #2 – Planning and Zoning Overview

November 17, 2015

Planning & Codes

Functional Relationship



City of University City
Comprehensive Plan Update of 2005

Comprehensive Plan is...

- * **Not** An Ordinance Or Law
- * A Vision of what a community is to be
- * A Policy Document – to help guide future growth and decisions about land use, infrastructure, parks, community services, economic development, and other aspects of a community.
- * A Cooperative and Collaborative Effort to shape a community's long-term growth



Planning & Zoning

- * Link between zoning and planning: Planning ≠ Zoning
- * Plans
 - Community's vision, goals
 - Land use
 - Public policy basis for zoning
- * Zoning Ordinance
 - Implementation Tool of Comprehensive Plan
 - Regulates land use
 - Law: violations enforceable through court proceedings, etc.

What Is Zoning?

- * General Goal

- Avoid/minimize disruptive land use patterns from incompatible land uses



Zoning Authority

- * Local zoning authority derived from state (police power)
- * Zoning enabling statutes
 - * What local governments can seek to accomplish through zoning
 - * Protection of **public health, safety, and welfare**
- * Chapter 89 of the Revised Statutes of Missouri (RSMo)

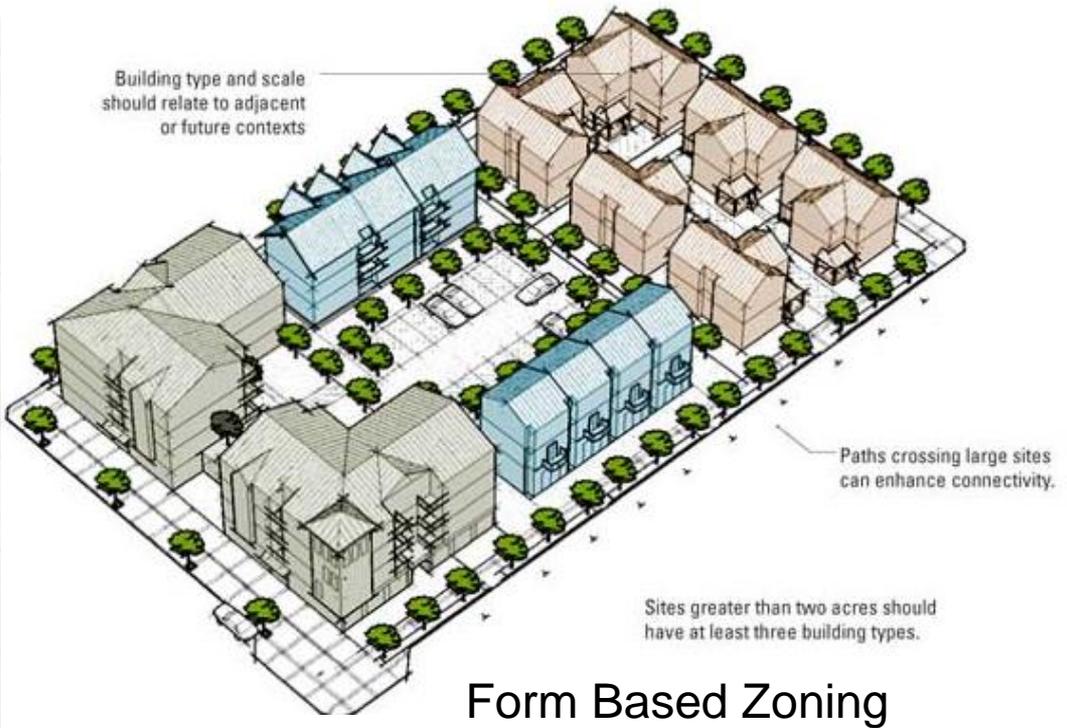
Missouri Revised Statutes

- * **89.040.** Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to **promote health and the general welfare**; 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. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality.

History and Origins of Zoning

- * American cities – 1900
- * Public health, safety and welfare
- * Early land use regulations and court cases
- * 1916 – New York City
 - First comprehensive zoning code
- * Two key events resulted in widespread adoption of zoning
 - 1922 & 1926 – Model Standard Zoning Enabling Act; Euclid vs. Ambler Realty

Euclidean Zoning (Conventional)



Form Based Zoning



Performance Based or Incentive Zoning

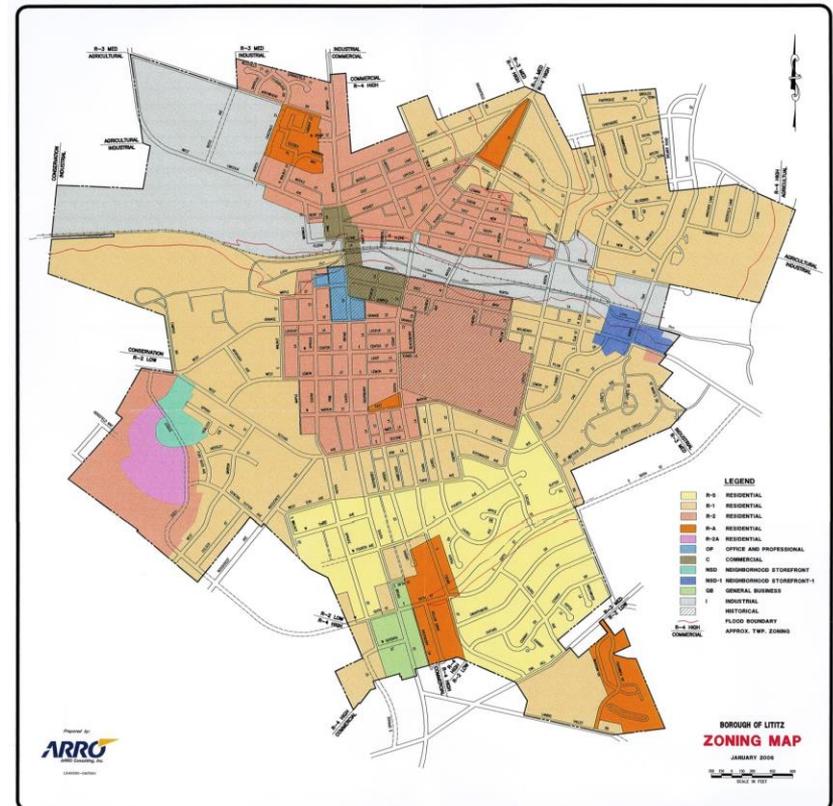
How is zoning implemented?

- * Zoning Ordinance (laws regulating land use)
- * Two parts: map and text
- * Zoning Map: depicts how community is divided into districts
- * Zoning Text serves two functions:
 - * Regulations
 - * Procedures



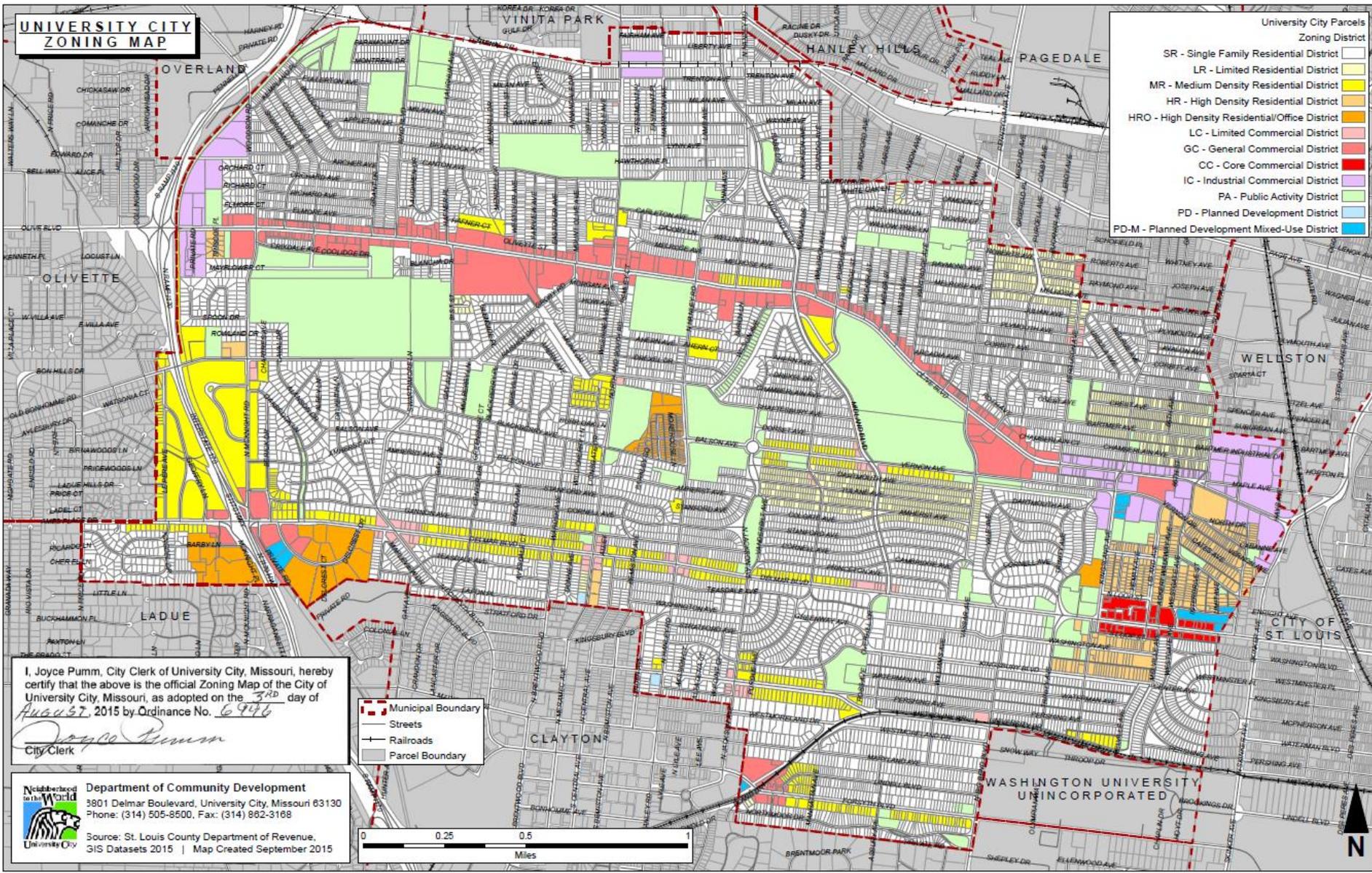
Zoning Map

- * Shows name and location of districts
- * Common zoning districts
 - * Residential
 - * Commercial
 - * Industrial
- * Use of streets or property lines



UNIVERSITY CITY ZONING MAP

- University City Parcels
Zoning District
- SR - Single Family Residential District
 - LR - Limited Residential District
 - MR - Medium Density Residential District
 - HR - High Density Residential District
 - HRO - High Density Residential/Office District
 - LC - Limited Commercial District
 - GC - General Commercial District
 - CC - Core Commercial District
 - IC - Industrial Commercial District
 - PA - Public Activity District
 - PD - Planned Development District
 - PD-M - Planned Development Mixed-Use District



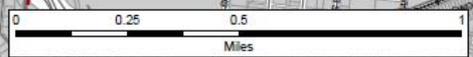
I, Joyce Pumm, City Clerk of University City, Missouri, hereby certify that the above is the official Zoning Map of the City of University City, Missouri, as adopted on the 3RD day of August, 2015 by Ordinance No. 6976

Joyce Pumm
City Clerk

- Municipal Boundary
- Streets
- Railroads
- Parcel Boundary

Department of Community Development
3801 Delmar Boulevard, University City, Missouri 63130
Phone: (314) 505-8500, Fax: (314) 862-3108

Source: St. Louis County Department of Revenue, GIS Datasets 2015 | Map Created September 2015



Zoning Ordinance

Most ordinances include:

1. Title, Authority and Purpose
2. General Provisions
3. Zoning Districts and Regulations
4. Nonconforming Uses, Structures and Lots
5. Other Regulations e.g. signs, parking
6. Administration and Enforcement

3) Zoning Districts and Regulations

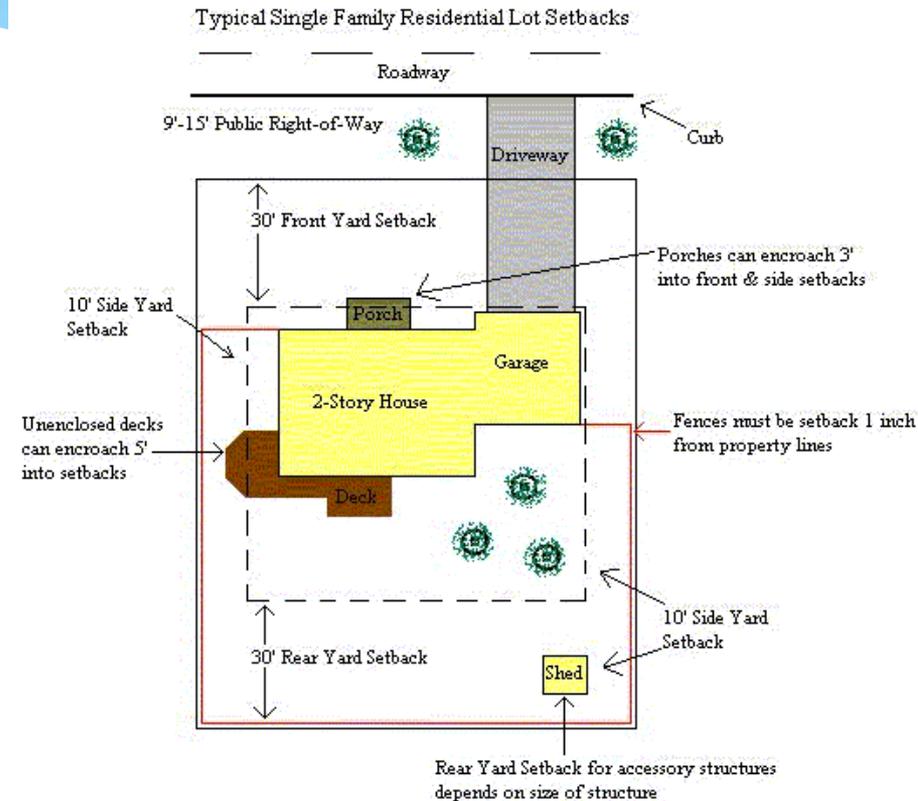
- * Lists and defines zoning districts
- * Residential, commercial, and industrial, etc.
- * Each district often broken down further
 - * Single-family and multi-family; light vs. heavy industry
- * Other districts
 - * Agricultural, conservation, institutional, flood hazard, overlay

3) Zoning Districts and Regulations

- * Zoning Districts and Regulations
 - * Sets out rules for use of land
 - * Permitted uses
 - * “By right” uses
 - * Must meet dimensional requirements and impact standards
 - * Special or Conditional uses
 - * Underlying zoning not changed
 - * Must be granted special or conditional use permit – on case-by-case basis
 - * Sets out additional standards that must be met
 - * Potential impact – intensity of use, traffic, proximity to residential, e.g. drive-through

3) Zoning Districts and Regulations

- * Zoning Districts and Regulations
 - * Includes basic development requirements
 - * Building location (setbacks and yards)
 - * Minimum lot size
 - * Building height
 - * Density



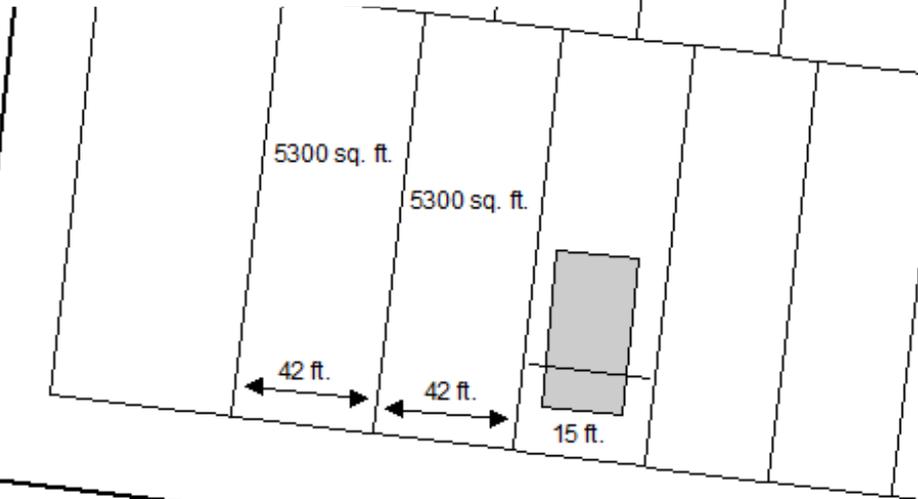
* Easements, wetlands, and environmental features can affect setbacks and placement of structures?
Please contact the City for more detailed information.

4) Non-conforming Uses, Structures, and Lots

- * Existing uses, structures or lots in place when zoning ordinance is adopted
 - * Do not comply with regulations
 - * Typically permitted to continue
 - * Regulate expansion, reconstruction, or conversion



Setback Non-conformity



Setback Non-conformity



Non-conforming lot size



Non-conforming use
Single family in multi-family district

5) Other Regulations

- * Parking Standards
 - * Requirements
 - * Minimum width, etc.



5) Other Regulations

- * Sign Regulations
 - * Types
 - * Size
 - * Number
 - * Height
 - * Location



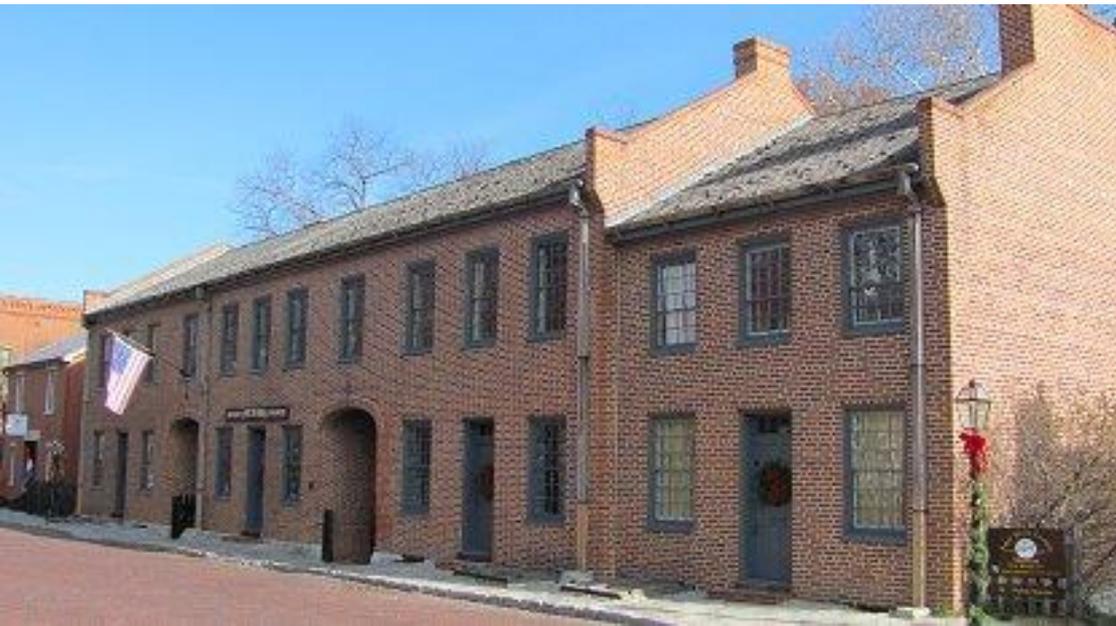
5) Other Regulations

- * Landscaping Requirements
 - * Location, species, spacing



5) Other Regulations

- * Historic Preservation Standards
 - * National and Local Historic Districts
 - * Materials, architecture, etc.



5) Other Regulations

- * Environmental Criteria
 - * Required open space
 - * Protection of natural features



6) Administration and Enforcement

- * Administration and Enforcement
 - * Duties of those involved in administering ordinance
 - Zoning administrator
 - Governing body
 - Planning Commission
 - Board of Adjustment
 - * Procedures
 - * Penalties and violations

Zoning Process

- * Four types of decision-making functions and groups involved
 - Legislative (Governing body – e.g. City Council)
 - Advisory (Planning Commission)
 - Quasi-judicial (Board of Adjustment)
 - Administrative (Staff)
- * Basic Applications
 - Rezoning (Map Amendment)
 - Text Amendment
 - Variance
 - Conditional Use; or Special Use

IMPLEMENTATION OF THE ZONING ORDINANCE – WHO'S INVOLVED?

(ADMINISTRATIVE)

(ADVISORY)

(LEGISLATIVE)

ENFORCEMENT, INSPECTIONS, PERMIT REVIEW

STAFF

MAP AMENDMENTS (REZONING) AND TEXT AMENDMENTS

STAFF

PLAN COMMISSION

CITY COUNCIL

CONDITIONAL / SPECIAL USE PERMIT

STAFF

PLAN COMMISSION

CITY COUNCIL

(QUASI-JUDICIAL)

VARIANCES AND APPEALS

STAFF

BOARD OF
ADJUSTMENT

Legislative

- * Comprised of elected officials
 - * City Council
 - * County Commission
 - * Village Council
 - * Township Trustees
- * Adoption/amendment of zoning regulations
- * Map amendments (rezoning) and text amendments are legislative acts

Advisory

- * Planning Commission
- * Provides advice on revisions to zoning map or zoning text
- * Is proposal consistent with goals and policies of community?
- * Focused on long range public interest

Map and Text Amendments

- * Rezoning – changing the zoning of a piece of land
- * Legislative act
- * Often reviewed by staff and Planning Commission
- * Final decision by governing body

- * Change in text of Zoning Ordinance

Conditional Use / Special Use

- * Uses that require review
- * Listed in district regulations
- * Conditions and standards clearly stated in zoning ordinance
- * Vary greatly from community to community

Quasi-judicial

- * Board of Zoning Appeals or Board of Adjustment
 - * Hear appeals
 - * Consider variance requests – relief from zoning ordinance due to unnecessary hardship
 - * Hardship based on physical characteristics of land
 - * Decisions must be based on factual evidence and include written findings of fact

Administrative

- * Staff planners, zoning officials, municipal employees
- * Review and issue permits
 - Standards that do not need review by planning commission or legislative body
 - Lot size, setbacks, building height, permitted uses, sign regulations, parking standards, etc.
- * Enforcement - inspections / initiate action on violations
- * Keep records
- * Administrative support for boards and commissions

THANK YOU.

