

**Section 404.050 – “PD” Planned Development Districts****A. Intent and purpose**

The purpose of the Planned Development Districts is to provide a means of achieving greater flexibility in development of land in a manner not always possible in conventional zoning districts; to encourage a more imaginative and innovative design of land development; and to promote a more desirable community environment.

The Board of Aldermen, upon recommendation by the Planning and Zoning Commission, may, by an ordinance adopted in the same manner as a rezoning is approved, authorize a Planned Development district when the proposed development or use of a specific tract of land or area warrants greater flexibility, control and density than is afforded under the general regulations of standard zoning districts. These Planned Development regulations are not intended to allow excessive densities, or the development of incompatible land uses, either within the development, or as the development relates to the general neighborhood. The Board of Aldermen may, upon proper application, approve a Planned Development to facilitate the use of flexible techniques of land development and site design, by providing relief from conventional zoning standards in order to achieve one or more of the following objectives:

1. Site planning that better adapts to site conditions and its relation to surrounding properties that would not otherwise be possible or would be inhibited under the district regulations applicable to the property;
2. Functional and beneficial uses of open space areas;
3. Preservation of natural features of a development site;
4. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program;
5. Rational and economical in relation to public utilities and services;
6. Efficient and effective traffic circulation, both within and adjacent to the development site.

**B. Relationship of planned development districts to zoning map****1. A Mapped District:**

The PD designation is not intended to be attached to existing zoning districts as an overlay. The PD designation, as detailed in this section, is a separate use district and may be attached to a parcel of land through the process of rezoning and zoning map amendment.

**2. Plan Approval Required:**

It is the intent of this ordinance that no development or redevelopment of the property encompassed by the PD designation take place until an acceptable development plan has been reviewed and approved in conformance with the requirements of this Chapter,

**Chapter 420, Amendments** of this Title, and applicable sections of **Appendix B, Subdivision Regulations**, of the Municipal Code.

3. Existing Approved Development:

Certain developments designated under prior versions of the Zoning Code were designated under zoning district provisions that have since been eliminated but were approved by site plans and/or master development plans adopted by ordinance. As a result of amendments to the Zoning Code, the zoning of some of these developments have been classified under one of the “PD” Planned Development District provisions provided for in this Section. Within these developments, the permitted and conditional uses, and all other provisions of the plans for such developments as approved by ordinance remain in full force and effect. However, changes in uses, building size, and other aspects of any such approved development shall constitute an amendment to the approved plan requiring review and approval under the requirement of this Section and other applicable sections of the Zoning Code existent at the time such changes are sought.

C. Coordination with **Appendix B, Subdivisions Regulations**, of the municipal code

1. When a Planned Development involves any subdivision activity, the subdivision review and approval procedure requirements contained in **Appendix B** of the Municipal Code shall be carried out simultaneously with the review of a Planned Development under this Section of this ordinance. As applicable, reference is made to requirements in **Appendix B** of the Municipal Code within this Section. With regard to these references, said Title may contain the term "plat," which under the PD district requirements is intended to be synonymous with "plan" as appropriate.
2. Since obtaining a PD district designation requires a map amendment (rezoning), the requirements and procedures of **Chapter 420, Amendments**, of this Title shall apply.

D. Types of planned developments

An area approved for the PD designation shall be assigned one of the following district classifications which shall be considered a separate zoning district and subject to the specific restrictions and limitations outlined in this Section.

1. Planned Development - Residential (PD-R): Planned developments involving owner-occupied residential single-family uses only on sites as identified for Planned Residential development in the City's Comprehensive Plan or on sites with frontage to an arterial roadway.
2. Planned Development - Commercial (PD-C): Planned developments involving retail and office commercial uses only and located along and with frontage to Manchester Road.
3. Planned Development – Mixed Use (PD-MXD): Planned developments involving owner-occupied residential uses and limited commercial uses and only on sites located along and with frontage to Manchester Road.

## E. Permitted Uses

The permitted uses for all Planned Development Districts as provided for in (D) above are those as provided for in **Chapter 404, Section 404.050** of this Title.

## F. Minimum planned development site size

The minimum site size for any of the Planned Development districts shall be as follows:

PD District	Minimum Site Size in Acres
PD-R	5.0
PD-C	5.0
PD-MXD	10

These minimum site sizes may be waived by the Board of Aldermen upon report by the Planning and Zoning Commission; if it is determined that the use proposed is desirable or necessary in relationship to the surrounding neighborhood; or, if the Board of Aldermen should determine such waiver to be in the general public interest.

## G. Density and dimensional regulations and performance standards

## 1. General Standards:

The approval of the Master Development Plan for such projects may provide for 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. Peak-hour traffic volumes exceeding the capacity of the adjoining or nearby streets. Capacity 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 which serve or are proposed to serve the planned development;
- d. A failure to comply with the standards contained in this Title or other provisions of the municipal code;
- e. Other detrimental impacts on the surrounding area including, but not limited to, visual pollution.

In addition to the above requirements, all planned developments shall be subject to the review criteria established in **Chapter 412** of this Title. It shall be the responsibility of the applicant to clearly establish that the above requirements are met.

2. Other Codes:

All requirements of other codes and ordinances of the City (e.g., Building Code) shall be applicable.

3. Planned Development - Residential (PD-R):

a. Design and Density Requirements:

- (1) The density of any residential development shall begin with the density provided for in the existing district in which the development is proposed but in any event may be not be greater in any PD-R development than that permitted in the Residential “D” District as set forth in **Section 404.025** or as may result from the density calculations permitted by the process outlined below.
- (2) The side or rear yard requirements for the underlying existing residential district are required for any side of the development that abuts another residential district. For example, a planned residential development proposed within an “A” residential district may be approved for density development of the “D” residential district, but the side or rear yard requirements for the underlying “A” district shall apply to the portion of the development abutting any other residential district.
- (3) The density limits as permitted herein may be exceeded on portions of the site within a PD-R district as long as the total site density limit is not exceeded. This is referred to as "density transfer." Additionally, the total site density may be exceeded up to a limit, upon conclusion of the Planning and Zoning Commission and the Board of Aldermen that the density bonus provisions contained in paragraph c below have been satisfied. This is referred to as "density bonus."

b. Calculation of Density:

- (1) The computation of density shall be based on dwelling units per net acre for the entire site.
- (2) To compute the number of dwelling units per net acre, fifteen (15) percent of the gross acreage of the parcel shall be deducted and the net acreage divided by the lowest minimum lot size (Residential “D” district 15,000 square feet). The following provides an example of density calculation for a 10-acre tract in any residential district:

$$10 \text{ acres} \times 43,560 \text{ square feet per acre} = 435,600 \text{ sq. ft.}$$

$$435,600 \text{ sq. ft.} - (435,600 \times 0.15) = 370,260 \text{ sq. ft.}$$

$$370,260 / 15,000 \text{ sq. ft. min. lot size} = 25 \text{ dwelling units}$$

Note that this example does not take into account the side and/or rear yard setbacks requirements of **Section 404.050, 3, a, (2)** above which may reduce the density.

- (3) In situations where a proposed PD-R district overlaps two or more dwelling districts, density shall be calculated separately for the portions of the PD-R district in each of the original residential districts.
- c. **Density Bonus:** The Planning and Zoning Commission may recommend and the Board of Aldermen may approve an increase in density within a PD-R district, up to a maximum of ten (10) percent, which shall be based on the precepts listed below. The density bonuses shall be treated as additives and not compounded.

Maximum Percentage Increase	Design Element
5%	Creative site designs and building groupings, which take advantage of natural terrain and resolve existing on-site and off-site water run-off and erosion problems. The provision of storm drainage retention as a site amenity is encouraged. Variations in building design are permissible.
5%	Creative use of landscape materials and the provision of more extensive landscaping than would otherwise be required under the landscaping requirements found elsewhere in this ordinance.

If density bonuses (increases) are requested under this Section, the applicant shall document all site amenities or improvements for the City's review and consideration.

- d. **Development Phasing:** If the sequence of construction of various portions of the development is to occur in stages, then the open space and/or recreational facilities shall be developed, or legally provided for on a final plat, in reasonable proportion to the number of dwelling units intended to be developed during any given stage of construction as approved on a final plat by the Board of Aldermen. Furthermore, at no time during the construction of the project shall the number of constructed dwelling units per acre of developed land exceed the overall density per net acre established by the approved PD-R district.
- e. **Non-Residential Uses in PD-R Developments:** Non-residential uses are limited to those specifically listed in the dwelling zoning districts. Such non-residential uses shall be subject to all requirements for lot area, width, height, yards and setbacks prescribed in the district in which the proposed PD-R development is located.
- f. **Common Open Space Requirements:**
  - (1) Common open space shall comprise at least fifteen (15) percent of the gross area of the residential development or be of a size equivalent to one (1) acre for each 100 persons of expected population of the development, whichever is greater. For purposes of this paragraph, the expected population shall be determined by multiplying the total number of dwelling units times 2.5 persons per dwelling unit.
  - (2) Common open space shall be used for recreational, park or environmental amenity purposes for the collective enjoyment of the occupants of the development.

- (3) In addition to the above open space requirements, the following regulates the use of this common open space in terms of physical surface characteristics, size, location and physical improvements therein.
  - (a) Of the required common open space, up to one-half of it may be covered by water, flood plain, storm water detention/retention facilities or left in a natural state.
  - (b) The area of each parcel of open space shall not be less than six thousand (6,000) square feet in area nor less than thirty (30) feet in its smallest dimension. In addition, at least fifty (50) percent of the common open space shall be contiguous or connected via pedestrian/bicycle paths or sidewalks.
  - (c) To the extent practicable, common open spaces should be distributed equitably throughout the development in relation to the dwelling units which such common open space is intended to serve. The open space shall not be isolated in one corner of a development, but shall be highly accessible (physically and/or visually) to the residents of the development.
- (4) Where common open space is to be provided in a subdivided residential development, the use, operation, and maintenance of areas for common open space, common ground, and common buildings shall be guaranteed by the establishment of a trust indenture providing for such by a subdivision association or trustees. Said indenture shall be approved by the City Attorney prior to recording the indenture simultaneously with the recording of the final plat.

g. Perimeter Buffer Requirements:

- (1) Where a PD-R development proposes residential development along the perimeter of the site, which is higher in density than that of an adjacent dwelling district, there shall be a minimum thirty (30) foot wide buffer area meeting the requirements of the adjacent district. The buffer area shall be kept free of buildings or structures and shall be landscaped or protected by natural features so that all higher-density residential buildings are effectively screened from the abutting lower density residential property.
- (2) Where a PD-R development abuts a commercial or industrial use or district, there shall be a minimum thirty (30) foot wide buffer area meeting the requirements of **Section 404.035, F, 4, d, 8**. This buffer area shall be permanent and landscaped and/or otherwise provided with screening (i.e.; sight proof fencing) so as to effectively screen the commercial or industrial use from the PD-R development.

4. Planned Development - Commercial (PD-C):

- a. Site Coverage: Total site coverage by uses permitted in the PD-C or PD-I districts shall be seventy (70) percent, except as permitted to be exceeded in accordance with paragraph "b" below.

- b. **Site Coverage Bonus:** The Planning and Zoning Commission may recommend and the Board of Aldermen may approve an increase in maximum site coverage from seventy (70) percent up to eighty (80) percent. In order to qualify for this bonus, the development plan must demonstrate compliance with four (4) or more of the following performance criteria:
- (1) Incorporate storm drainage retention facilities as a site amenity.
  - (2) Install storm drainage detention facilities underground.
  - (3) Increasing parking lot landscaping by fifty (50) percent more than otherwise required.
  - (4) Submitting for approval developments on tracts that are five (5) or more acres in size.
  - (5) Design of principal access to the development tract at an approved location that allows for shared access by an adjacent property.
  - (6) Construction of separate-grade pedestrian and bicycle paths.
  - (7) Providing for screened loading areas and screened trash/waste collection areas.
  - (8) Demonstration of a development using innovative architectural, site planning and land use design and of such quality as to set an excellent example for subsequent development or redevelopment projects.
  - (9) Any other performance criteria that further the goals, objectives and policies of the Comprehensive Plan and that, in the opinion of the Planning and Zoning Commission and Board of Aldermen warrant the approval of development bonuses.
- c. **Signage:** Signage shall be in compliance with **Appendix A, "Signs,"** unless the applicant for a PD-C district designation elects to submit a "Comprehensive Sign Plan" in addition to the submission of other required development plan documents. The Planning and Zoning Commission may recommend, and the Board of Aldermen may approve, a Comprehensive Sign Plan and such plan shall be made part of the ordinance approving the PD district. This ordinance may contain conditions, requirements or standards regarding signs that may be stipulated by the Board of Aldermen. Comprehensive Sign Plans approved under this Section shall be evaluated based upon the following criteria:
- (1) **Placement:** All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures and sign orientation relative to viewing distances and viewing angles. However, no sign shall be placed in any manner that creates sight obstructions for roadway traffic or ingress or egress to and from a property and must comply with the provisions of **Chapter 406, Section 406.010, D.**

- (2) Quantity: The number of signs that may be approved within any development shall be no greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
- (3) Size: All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. In no event shall a plan contain a sign which exceeds by more than fifty (50) percent that of any maximum area standard contained in **Appendix A, "Signs"** unless otherwise waived by the Board of Aldermen.
- (4) Materials: Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style or the use of consistent lettering style and typography.

A request for approval for a Comprehensive Sign Plan shall accompany the request for PD-C zoning classification and shall include, but is not limited to, the following:

- (1) A site plan, depicting the proposed plan of development and illustration of proposed sign locations;
  - (2) Descriptions and drawings indicating size, qualities, materials and illumination; and
  - (3) A narrative description of the common theme for signage within the development, how it relates to architectural and/or landscaping elements of the development, and how the Comprehensive Sign Plan relates to each of the criteria set forth in this Section.
- d. Perimeter Buffer Requirements: Where a PD-C development abuts a residential district, there shall be a minimum fifty (50) foot buffer area between any non-residential use and the adjacent residential district. This buffer area shall be landscaped in accordance with **Section 404.035, F, 4, d, 8**.
  - e. Minimum Building Setbacks: Building setbacks shall be in accordance with the approved site plan for a PD-C or PD-1 development. Where a commercial or industrial use abuts a dwelling district, the minimum building setbacks established in the district regulations shall apply.

#### 4. Planned Development – Mixed Use

- a. Density: Residential density shall not exceed 18 dwelling units per net acre.



- b. Site Coverage: Total site coverage by uses permitted in the PD-MXD district shall not exceed seventy (70) percent, except as permitted to be exceeded in accordance with **Section 404.050, G, paragraph “4, b”**.
  - c. Signage: (see **Section 404.050, G, “4, c”**)
  - d. Perimeter Buffer Requirements:
    - (1) When the residential portion of the development is along the perimeter of the site and is higher in density than that of an adjacent dwelling district, there shall be a minimum thirty (30) foot wide buffer area in accordance with the requirements of **Section 404.035, F, 4, d, 8**). The buffer area shall be kept free of buildings or structures and shall be landscaped or protected by natural features so that all higher-density residential buildings are effectively screened from the abutting lower density residential property.
    - (2) When commercial development abuts a dwelling district, there shall be a minimum fifty (50) foot buffer area between the commercial use and the adjacent dwelling district. This buffer area shall be landscaped in accordance with **Section 404.035, F, 4, d, 8**).
- H. Other Development Regulations Applicable to PD Districts in this Title or the Municipal Code:
- 1. Chapter 406, Supplementary Regulations.
  - 2. Chapter 410, Off-Street Parking and Loading Requirements.
  - 3. Appendix A, Signs, of the Municipal Code.
  - 4. Appendix B, Subdivision Regulations of the Municipal Code
- I. Dedication and Reservation of Land
- Whenever a Planned Development embraces all or any part of an arterial street, collector street, drainage way or other public way which has been designated in the adopted Comprehensive Plan or other official plans of the City of Des Peres, sufficient land shall be dedicated or reserved on the development plan for said public improvements in a manner similar to that required of all subdivisions as specified in **Chapter 410, "Subdivision Regulations,"** Des Peres Municipal Code.
- J. Site Plan Review and Master Development Plan
- All Planned Development projects are subject to site plan review and approval of a master development plan as required under the provisions of **Chapter 412** of this Title.
- K. Effect of Approval of Master Development Plan and Period of Validity
- 1. All conditions imposed as a part of any Planned Development shall run with the land and shall not lapse or be waived as a result of a subsequent change in ownership of any or all of said area.

2. Approval of the master development plan shall be valid for a period of two (2) years from the date of Board of Aldermen approval. If the development approved by the master development plan has not been initiated for all or a geographic portion of the plan designated as a phase of the development, then a resubmission of the master development plan shall be required if the applicant intends to construct the development as originally approved. The Board of Aldermen, upon recommendation from the Planning and Zoning Commission, may grant up to a one (1) year extension, from the date that the period of validity expired. The Board of Aldermen may reject such resubmission of the same development plan in light of new facts and circumstances relating to the development plan.
3. In no case shall a building permit be issued prior to master development plan approval.
4. At such time the period of validity has expired, the Planning and Zoning Commission resolution approving the master development plan shall become null and void. The Board of Aldermen may initiate proceedings to rezone the property to its original or other appropriate zoning district, in accordance with the procedures and requirements of **Chapter 420** of this Title.

L. Recording of Master Development Plan

After the final development plan (and subdivision plat, if applicable), and other associated documents have been approved by the Board of Aldermen, the applicant shall record the final development plan in accordance with provisions of **Chapter 412, Section 412.015, J** of this Title.

M. Amendments to the Master Development Plan

1. Minor Changes:

Minor changes in the location, siting and height of buildings and structures may be authorized by the Director of Public Works if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this section shall cause any of the following:

- a. a change in the use or character of the development;
- b. an increase in building or site coverage;
- c. an increase in the intensity of use (e.g., number of dwelling units);
- d. an increase in vehicular traffic generation or significant changes in traffic access and circulation;
- e. a reduction in approved open space or required buffer areas; or
- f. a change in the record plat of any subdivision involved with the Planned Development.

2. Plan Amendments:

All proposed changes in use, or rearrangement of lots, blocks and building tracts, changes in the provision of common open spaces, and changes which would cause any of the situations listed under paragraph 1 above shall be subject to approval by the Board of Aldermen. In such event, the applicant shall file a revised development plan and be subject to the requirements of this Section as if it were an entirely new application.