

BILL NO.: 24-0709, A1

ORDINANCE NO. 24-0278

INTRODUCED BY: Council Member Barbagallo

1           **AN ORDINANCE APPROVING APPLICATION PR124027 TO REZONE**  
2           **A PARCEL OF PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R7)**  
3           **ZONE DISTRICT TO PLANNED RESIDENTIAL (PR1) ZONE DISTRICT AND**  
4           **DEVELOPMENT PLAN FOR HILLCREST LOCATED IN COUNCIL DISTRICT**  
5           **2.**

6           **WHEREAS**, a hearing was held by the Planning and Zoning Commission of  
7           Jefferson County, Missouri on June 13, 2024, on Application/Petition Number  
8           PR124027, a request to rezone a portion of the following described real estate located in  
9           Jefferson County, State of Missouri, to-wit: Parcel Number: 02-5.0-15.0-1-001-015, from  
10          Single Family Residential (R7) zone district to Planned Residential (PR1) zone district  
11          and development plan for Hillcrest, and

12          **WHEREAS**, the record of the June 13, 2024, hearing and the recommendation of  
13          the Planning and Zoning Commission have been filed with the Jefferson County,  
14          Missouri, Council; and

15          **WHEREAS**, the Jefferson County, Missouri, Council has taken official notice of  
16          the following items and exhibits filed with and presented to the Jefferson County,  
17          Missouri, Council with respect to the Application:

18                 a.       Jefferson County Planning Division Staff Report to the Planning  
19                 and Zoning Commission, development plan, and the case file for this Application.

**FILED**

JUL 30 2024

JEANNIE GOFF  
COUNTY CLERK, JEFFERSON COUNTY, MO

1           b.     The record of the hearing before the Planning and Zoning  
2 Commission including the following exhibits:

3           Exhibit A, The Official Master Plan for Jefferson County, Missouri,  
4                     adopted August 6, 2003 and effective April 2, 2008;

5           Exhibit B, The Code of Ordinances of Jefferson County, Chapter 400:  
6                     Unified Development Order, adopted April 2, 2008, as  
7                     amended;

8           Exhibit C, Staff Report and case file;

9     **WHEREAS**, it is found by the Jefferson County, Missouri, Council that:

10           a.     All persons required to receive notice of the hearing were notified,  
11 all notices were published, and signs posted in accordance with Missouri law and  
12 the Unified Development Order.

13           b.     The Jefferson County, Missouri, Council has jurisdiction over the  
14 subject matter of this application.

15           c.     The requested change in zoning for Parcel Number: 02-5.0-15.0-1-  
16 001-015, is in accordance with the Official Master Plan of Jefferson County,  
17 Missouri.

18           d.     The requested change in zoning for Parcel Numbers: 02-5.0-15.0-  
19 1-001-015, is in harmony with and is compatible with surrounding and adjacent  
20 land uses and properties.

21           e.     The requested development plan, as conditioned by this Ordinance,  
22 is consistent with the UDO in that the development plan is designed, located and

1 proposed to be operated so that the public health, safety and welfare will be  
2 protected.

3 f. The requested development plan, as conditioned by this Ordinance,  
4 is consistent with the UDO in that the development plan will not impede the  
5 normal and orderly development and improvement of the surrounding property.

6 g. The requested development plan, as conditioned by this Ordinance,  
7 is consistent with the UDO in that the development plan incorporates adequate  
8 ingress and egress and an internal drive network that provides for the efficient  
9 flow of traffic.

10 h. The modifications to Chapter 400, Section 400.1670 as depicted on the  
11 development plan, and as conditioned by this Ordinance, are in the best interest of  
12 the County in that the modifications incorporate sound planning principles and  
13 design elements that are compatible with surrounding properties and are  
14 consistent throughout the proposed project.

15 i. The modifications to Chapter 400, Section 400.1670 as depicted on the  
16 development plan, and as conditioned by this Ordinance, are in the best interest of  
17 the County in that the modifications further the stated goals and intent of the  
18 UDO.

19 **NOW, THEREFORE, BE IT ENACTED BY THE JEFFERSON COUNTY,**  
20 **MISSOURI, COUNCIL, AS FOLLOWS:**

21 Section 1. Application Number: PR124027, a request to rezone a portion of  
22 the following described real estate located in Jefferson County, State of Missouri, to-wit:

1 Parcel Numbers: 02-5.0-15.0-1-001-015, from Single Family Residential (R7) zone  
2 district to Planned Residential (PR1) zone district and development plan for “Hillcrest” is  
3 approved subject to conditions, regulatory requirements, and departmental comments:

4 **Modifications:**

- 5 1. Approval of relief from section 400.1670 – Minimum Building Setbacks. Front-  
6 20’, Side – 5’, Rear 30’

7 **Conditions of Approval:**

- 8 1. A Preliminary plat/site development plan approval shall be required.  
9 2. Survey and existing data:  
10 a. Include availability of existing water available to serve the project.  
11 3. Proposed development:  
12 a. Proposed zone district on cover sheet calls out R-07 should state PR1  
13 4. Pavement:  
14 a. The Engineer shall submit sight distance profiles showing that the required  
15 sight distance is met.  
16 b. Access onto a county road shall require 300' of stopping sight distance at 3.5'  
17 height of eye and 4.25' height of oncoming vehicle (minimum 1' of clearance  
18 between line of sight and surface/top of grass).  
19 c. The engineer shall identify the clearance at the most restrictive point on the  
20 profiles.  
21 d. Any vegetation or obstructions of any sort in the line of sight must be  
22 identified.

- 1        5. Local Access Streets:
- 2            a. Street width shows 28' pavement within 34' ROW with curbs which will
- 3            allow parking on one side. No parking signs will be required on one side of
- 4            street
- 5            b. Street thickness shall include 6" PCC/4" rock base or 2" Type C Asphaltic
- 6            Concrete/3" Type X Asphaltic Concrete/4" rock base.
- 7            c. Streets shall not exceed 14% grades, 100' horizontal radii, K=20, 0' tangents,
- 8            and 1500' block length.
- 9            d. Required 125' offset is not met with opposite driveways on Romain Creek Rd.
- 10        6. Other street design requirements:
- 11            a. Streets shall intersect at right angles.
- 12            b. Sight triangle at street intersections are required (measured 35' along both
- 13            ROW lines with clear vertical height between 3'-10').
- 14            c. Corner radius onto a street for is a minimum of 15'.
- 15            d. Corner radius onto a county road is a minimum of 30'.
- 16            e. Lighting shall conform to UDO Section 400.2460.
- 17        7. Sidewalks:
- 18            a. Sidewalks shall consist of 5' width and are required on both sides of street and
- 19            around cul-de-sacs.
- 20            b. Mailbox locations must be shown for subdivisions.
- 21        8. Detention:

- 1 a. Stormwater shall be detained and released at a rate not to exceed the release  
2 rate from the site under the existing (pre-developed) conditions for the 2 and  
3 100-year storm events. Detention/retention basins must also contain an  
4 overflow structure capable of passing a 100-year, 20-minute design storm.
- 5 b. Channel protection is required to treat the high-frequency, low-severity storm  
6 runoff events within the detention basins by metering it out slowly over 24-48  
7 hours.
- 8 c. Stormwater system shall be designed for the 15-year, 20-minute event.  
9 Provide hydraulic calculations and drainage area map for each system.

10 9. Walls:

- 11 a. Any development where a retaining wall or vertical cut is proposed in an  
12 upward-sloping yard shall provide a minimum fifteen (15) foot wide fall zone  
13 easement from the bottom of the wall. Any structure requiring the issuance of  
14 a Jefferson County building permit, except a deck without walls or a roof,  
15 shall not be located within the fall zone easement.
- 16 b. A portion of every rear yard in residential developments shall provide  
17 adequate usable space for outdoor recreation by the occupants of the lot. At  
18 least thirty percent (30%) of the required rear yard area must be usable, unless  
19 a variance is granted by the Jefferson County Board of Zoning Adjustment. A  
20 usable space is a contiguous area with grade less than thirty percent (30%).
- 21 c. Wall over 6' requires a permit from the Building Division.

22 10. Grading:

- 1 a. Submit a geotechnical report, sealed by an Engineer registered in the State of  
2 Missouri, as required where more than 5' of cut or 5' of fill is proposed.  
3 Grades at slopes proposed steeper than 3:1 must be included in the report for  
4 slope stability.
- 5 b. A land disturbance permit is required from the Stormwater Department in  
6 accordance with Chapter 500.
- 7 c. All bridges shall be designed to carry an HS20 truck loading. Bridge  
8 foundations shall be per the recommendation of a geotechnical engineer  
9 registered in the State of Missouri. A sealed copy of the foundation report  
10 shall accompany the Improvement Plans.
- 11 d. A portion of every rear yard in residential developments shall provide  
12 adequate usable space for outdoor recreation by the occupants of the lot. At  
13 least thirty percent (30%) of the required rear yard area must be usable. A  
14 usable space is a contiguous area with grade less than thirty percent (30%).
- 15 e. Wall over 6' requires a permit from the Building Division.

16 **Regulatory Requirements**

17 Permitted Uses

18 Dwelling – two family

19 Dwelling – three family

20 Dwelling—four Family

21 Floor Area, Height, and other Building Requirements

22 Maximum Density: 6 units/acre

1 Maximum Structure Height: 45 feet

2 Minimum Lot Size: 4,228 square feet (individual units are allowed to be spilt by a 0'  
3 lot line)

4 Minimum Lot Width: 40 feet

5 Site Development

6 Required Yards

7 Front Yard – 20 feet; Side Yard – 5 feet; Rear Yard – 30 feet (Per approved  
8 Modification)

9 Design Standards

10 The development shall comply with Suburban Design Standards in accordance with  
11 Article VII of the Jefferson County Unified Development Order, except as  
12 specifically modified by this Ordinance.

13 Access

14 Access shall be provided in accordance with the Jefferson County Unified  
15 Development Order.

16 Parking

17 Parking and loading shall be provided per the regulation of Article XII of the  
18 Jefferson County Unified Development Order.

19 Signs

20 Signs shall comply with Article XIII of the UDO. All regulatory signs, including  
21 stop signs, speed limit, etc. shall be provided by the developer.

22 Lighting



1 Lighting that by color, placement or design resembles or conflicts with traffic  
2 control signs is prohibited. No lighting shall contain flashing lights, intermittent  
3 lights, animators, or mechanical movements of any kind.

#### 4 Landscaping

5 Landscaping, buffers, and tree protection shall comply with Article XIV of the  
6 Jefferson County Unified Development Order.

#### 7 Stormwater and Erosion and Sediment Control

8 Stormwater management and Erosion and sediment control shall comply with  
9 Chapter 505: Erosion and Sediment Control / Stormwater Management Design  
10 Manual of the Jefferson County Code of Ordinances.

#### 11 Geotechnical

12 A geotechnical study prepared by an Engineer licensed in the State of Missouri  
13 shall be required where there is more than 5 feet of cut or 5 feet of fill or slopes  
14 greater than 3:1. Where grades are proposed at slopes greater than 3:1 slope  
15 stability must be addressed in the study.

#### 16 Noise

17 No operation shall be carried on that involves noise in excess of the normal traffic  
18 noise of the adjacent street at the time of the daily peak hour of traffic volume.  
19 Noise shall be measured at the property line and when the level of this noise  
20 cannot be determined by observation with the natural senses, a suitable instrument  
21 may be used, and measurement may include breakdowns into a reasonable

1           number of frequency ranges. All noise shall be muffled so as not to be  
2           objectionable due to intermittence, beat frequency or shrillness.

3           Section 2. The zoning map of Jefferson County, Missouri shall be amended  
4           by changing the area where said real estate is located on the map with the marking  
5           “PR124027”.

6           Section 3. This Ordinance shall be in full force and effect immediately upon  
7           passage by the Jefferson County, Missouri, Council as of the date listed below.

8           Section 4. If any part of this Ordinance is invalid for any reason, such invalidity  
9           shall not affect the remainder of this Ordinance.


**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE  
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Dan Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 22 DAY OF July, 2024:


**PASSED**       **FAILED**

  
\_\_\_\_\_  
Charles Groeteke, County Council Vice Chair

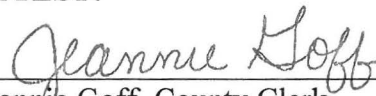
  
\_\_\_\_\_  
Cherlynn Boyer, Council Administrative Assistant

THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND EXACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 24 DAY OF July, 2024.

THIS BILL WAS \_\_\_\_\_ VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

  
\_\_\_\_\_  
Dennis J. Gannon, Jefferson County, Missouri,  
Executive

**ATTEST:**

  
\_\_\_\_\_  
Jeannie Goff, County Clerk

By   
Deputy Clerk

First Reading: 07-08-2024

Second Reading: 07-22-2024

Third Reading: 07-22-2024

JEFFERSON COUNTY, MISSOURI  
COUNTY COUNCIL  
AMENDMENT # A-1 TO Bill 24-0709

Offered by Council Member: Barbagallo

An Amendment to Bill No. 24-0709

1 Page 3, lines 10-18, which currently read:

2 “h. The modifications to Chapter 400, Section 400.1670 as depicted on the  
3 development plan, and as conditioned by this Ordinance, are in the best interest  
4 of the County in that the modifications incorporate sound planning principles and  
5 design elements that are compatible with surrounding properties and are  
6 consistent throughout the proposed project.

7 i. The modifications to Chapter 400, Section 400.1670 as depicted on the  
8 development plan, and as conditioned by this Ordinance, are in the best interest  
9 of the County in that the modifications further the stated goals and intent of the  
10 UDO.”

11 Shall be amended to read as follows:

12 “h. The modifications to Chapter 400, Section 400.1670 as depicted on the  
13 development plan are not in the best interest of the County in that the  
14 modifications do not incorporate sound planning principles and design elements  
15 that are compatible with surrounding properties.

16 i. The modifications to Chapter 400, Section 400.1670 as depicted on the  
17 development plan are not in the best interest of the County in that the  
18 modifications do not further the stated goals and intent of the UDO.”

19 Page 4, lines 5-6, which currently read:

20 **“1. Approval of relief from section 400.1670 – Minimum Building Setbacks.**

21 **Front-20’, Side – 5’, Rear 30’”**

22 Shall be amended to read as follows:

23 **“1. Denial of relief from section 400.1670 – Minimum Building Setbacks.”**

24 Page 8, lines 7-8, which currently read:

25 **“Front Yard – 20 feet; Side Yard – 5 feet; Rear Yard – 30 feet (Per approved**

26 **Modification)”**

27 Shall be amended to read as follows:

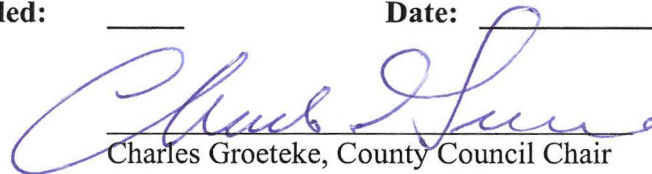
28 **“Front Yard – 25 feet; Side Yard – 6 feet; Rear Yard – 30 feet.”**

29 In all other respects the Bill shall remain the same.

**THIS AMENDMENT BEING DULY INTRODUCED AND READ, THE MEMBERS OF THE JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins	<u>absent</u>
Council Member District 2, Gene F. Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>
<b>Amendment Passed:</b> <input checked="" type="checkbox"/>	<b>Date:</b> <u>7/8/24</u>

**Amendment Failed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

  
Charles Groeteke, County Council Chair

  
Cherlynn Boyer, Council Executive Assistant

Read On: 7/8/24