

**CITY OF NORMANDY, MISSOURI
AN ORDINANCE**

**1st READING 12/12/2023
2nd READING 05/14/2024**

**BILL NO. 23-31
ORDINANCE NO. 812**

AN ORDINANCE OF THE CITY OF NORMANDY, MISSOURI, AMENDING CHAPTER 405: ZONING, BY THE ENACTMENT OF A NEW ARTICLE XIX CREATING A MIXED-USE DISTRICT

WHEREAS, the General Land Use Plan of the City of Normandy designates certain parcels as appropriate for the blending of multiple uses, including residential and commercial uses, such blending commonly referred to as “mixed-use”; and

WHEREAS, the Zoning Regulations of the City of Normandy currently provide for seven districts according to which parcels in the City may be zoned, none of which provide for mixed uses, but rather strictly delineate between commercial and residential uses; and

WHEREAS, the General Land Use Plan clearly contemplates the inclusion of a mixed-use district in the City’s Zoning Regulations; and

WHEREAS, Section 89.060 of the Revised Statutes of Missouri empower the City Council to amend and modify the City’s Zoning regulations; and

WHEREAS, the City Council previously referred the creation of a mixed-use district to the Planning and Zoning Commission of the City of Normandy, and the Planning and Zoning Commission forwarded a favorable recommendation of said district to the City Council; and

WHEREAS, the City Council of the City of Normandy, Missouri, held a public hearing thereon at Normandy City Hall on January 9th, 2024, beginning at 6:30 p.m.; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Normandy and otherwise posted and published in accordance with Chapter 89, RSMo and applicable City ordinances; and

WHEREAS, all persons who presented themselves and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council, and the Bill was read by title in open meeting two times before final passage by the City Council; and

WHEREAS, the City Council being fully informed finds that that the creation of a mixed-use district will be in the best interest of the City and its residents and will not adversely affect the character of the neighborhood, traffic conditions, fire hazards, public utility facilities, and other matters pertaining to public health, safety and general welfare of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI, AS FOLLOWS:

Section 1

Chapter 405: Zoning Regulations of the Code of Ordinances of the City of Normandy is hereby amended by the enactment of a new Article XIX, Sections 405.1000, 405.1010, 405.1020, 405.1030, and 405.1040 to read as follows:

CHAPTER 405 ZONING REGULATIONS

ARTICLE XIX “MU” MIXED-USE DISTRICT

Section 405.1000 Regulations Generally.

- A. The regulations set forth in this Article or set forth elsewhere in this Chapter, when referred to in this Article, are the District Regulations in the "MU" Mixed-Use District.

- B. This district seeks to encourage mixed-use development with commercial services, retail facilities, and residential uses that complement each other and attract customers from outside the district.

Section 405.1010 Use Regulations.

- A. Ground Level.
 - 1. *Permitted Uses.* The first floor (also referred to as the “ground level”) of any building or premises may be used for any use set forth as a Permitted Use in Attachment A to this Article.

 - 2. *Special Uses.* Upon obtaining a special use permit issued pursuant to the provisions of Section 405.790, the ground level of any building or premises may be used for any of use set forth as a Special Use in Attachment A to this Article.

 - 3. *Prohibited Uses.* Notwithstanding any part of this Section to the contrary, the ground level of any building or premises shall not be used for any use set forth as a Prohibited Use in Attachment A to this Article.

- B. Upper Level.
 - 1. *Permitted Uses.* The upper level(s) of any building or premises may be used for:
 - a. Any use set forth as a Permitted Use in Attachment A to this Article.
 - b. Multi-Family Residential

2. *Special Uses.* Upon obtaining a special use permit issued pursuant to the provisions of Section 405.790, the upper level of any building or premises may be used for any of use set forth as a Special Use in Attachment A to this Article.
3. *Prohibited Uses.* Notwithstanding any part of this Section to the contrary, the upper level of any building or premises shall not be used for any use set forth as a Prohibited Use in Attachment A to this Article, except that Multi-Family Residential shall be a Permitted Use.

C. Miscellaneous Regulations.

1. Commercial uses, other than home occupations, are not permitted in residential units that were approved for residential use as part of a development plan submitted and approved in accordance with the provisions of Section 405.1050, *et. seq.* of the Normandy City Code.
2. Ground level street frontages may not be occupied by residential uses but may be occupied by a lobby or entrance to residential portions of the building. Such lobby or entrance may not comprise more than twenty-five (25) percent of the ground level by square footage.
3. Uses not designated as Permitted or Special Uses by this Code shall be considered prohibited.

D. Development Plan Review.

1. No development or redevelopment of properties for the following uses in the MU district shall take place until a development plan has been submitted and approved in accordance with the provisions of Section 405.1050, *et. seq.* of the Normandy City Code:
 - a. New developments over 7,500 square feet.
 - b. Any use which requires a special use permit under this Section.
 - c. Any proposed use which includes drive-through facilities.

Section 405.1020 Parking Regulations.

- A. Notwithstanding any other provision of this Code to the contrary, all uses in the MU district shall comply with the parking regulations set forth in Attachment B to this Article.
- B. In computing the number of parking spaces required under this section, the following rules shall govern:

1. Where fractional spaces result, the parking spaces required shall be the nearest whole number.
 2. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
 3. Whenever a building or use constructed or established after February 10, 1969, is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to February 10, 1969, is reconstructed or is enlarged to the extent of twenty percent (20%) or more in floor area, said building or use in its entirety shall then and thereafter comply with the parking requirements set forth herein. Any enlargement or change in use of less than twenty percent (20%) of the gross floor area shall be provided with parking based on the enlargement or change.
- C. Required parking spaces shall be located within five hundred (500) feet walking distance of said building. Where the required parking spaces are not located on the same lot with the building or use served, the usage of the lot or tract upon which said parking spaces are provided shall be restricted by an instrument of record describing the premises for which said parking is provided and assuring the retention of such parking so long as required by this Chapter. A copy of such recorded instruments shall be provided to the City upon recording.
- D. Two (2) or more owners of separate lots or tracts may join together to provide the required parking spaces. In order for any such shared parking agreement to satisfy the parking requirements of this Section, the parties to such agreement must provide to the City a copy of a written agreement signed by the owners of any property subject to the agreement. In the event such written agreement is rescinded, voided, terminated, or otherwise ceases, the shared parking agreement shall no longer satisfy the parking requirements of this Section. Property owners shall be required to notify the City within 7 days of the date a shared parking agreement is rescinded, voided, terminated, or otherwise ceases.
- E. The number of parking spaces required in conjunction with a special use may be modified by the City Council if conditions for such special use warrant a deviation from the above requirements.

Section 405.1030

Height and Area Regulations.

A. *Height.*

1. No building shall exceed three (3) stories or forty-five (45) feet in height, except as otherwise provided in Article XII of this Chapter.

B. *Area.*

1. *Front yard.*
 - a. Maximum setback: no structure may be placed more than twenty (20) feet from the front lot line.
2. *Side yard.*
 - a. A side yard of not less than fifteen (15) feet is required along any side lot line which abuts a lot zoned as an "A", "B", or "C" District
3. *Rear yard.*
 - a. A rear yard of not less than twenty-five (25) feet is required where the rear lot line abuts any lot zoned as an "A", "B", or "C" District. All other lots shall have a rear yard of not less than ten (10) feet.

Section 405.1040 Fence Regulations.

- A. Where any lot line of a parcel zoned "MU" abuts the side or rear lot line of any lot zoned "A," "B," or "C", a durable sight-proof fence shall be required within two (2) feet of the lot line.
- B. Fences required under this Section may be constructed of cedar, treated wood, or composite wood, and shall be of a standard picket or shadowbox style. Fences required under this Section shall not be constructed of any material or in any design other than those specifically identified herein, nor shall any such fence be constructed of prefabricated stockade panels.
- C. Fences required under this Section shall be six (6) feet in height, measured from the underlying ground.
- D. It shall be unlawful to erect any fence pursuant to this Section without first having obtained a fence permit pursuant to Section 405.740 of this Code.

Section 2

Chapter 405: Zoning Regulations of the Code of Ordinances of the City of Normandy is hereby amended by the enactment of Attachment A to Article XIX, to read as follows:

CHAPTER 405 ZONING REGULATIONS

ARTICLE XIX "MU" MIXED-USE DISTRICT

Attachment A

1. Permitted Uses.

- a. Advertising Offices
- b. Appliance repair and maintenance
- c. Art Dealers
- d. Automotive Parts, Accessories, and Tire Retailers
- e. Barber shops
- f. Beauty salon
- g. Book Retailers and News Dealers
- h. Bowling Alley
- i. Business Support Services
- j. Civic Organizations
- k. Clothing and Clothing Accessories Retailers
- l. Construction (office only)
- m. Consumer goods rental
- n. Dance Schools
- o. Diet and weight reducing centers
- p. Electronics and Appliance Retailers
- q. Employment Services
- r. Exam Preparation and Tutoring
- s. Facilities Support Services
- t. Financial Institutions (no drive-through facilities)
- u. Fine Arts Schools
- v. Fitness and Recreational Center
- w. Florists
- x. Funeral services
- y. Furniture and Home Furnishings Retailers
- z. General Merchandise Retailers
- aa. Gift, Novelty, and Souvenir
- bb. Government Offices
- cc. Grocery and Convenience Retailers
- dd. Hardware Retailers
- ee. Health and Personal Care Retailers
- ff. Hobby, Toy, and Game Retailers
- gg. Insurance brokerage
- hh. Investigation and Security Services
- ii. Jewelry Retailers and repairs
- jj. Language Schools
- kk. Lawn and Garden Equipment and Supplies Retailers
- ll. Legal Services Offices
- mm. Luggage and Leather Goods Retailers
- nn. Management of Companies and Enterprises
- oo. Motion Picture and Sound Recording Studio
- pp. Museum
- qq. Musical Instrument, Supplies, and Repairs
- rr. Nail salon
- ss. Office Machinery and Equipment rental
- tt. Office Administrative services
- uu. Offices of Dentists

- vv. Office of Other Health Practitioners
- ww. Offices of Physicians
- xx. Office Supplies and Stationery Retailers
- yy. Pets and Pet Supplies
- zz. Professional, Scientific, and Technical Services, except Scientific Research and Development Services
- aaa. Publishers
- bbb. Radio or Television broadcasting stations
- ccc. Real estate office
- ddd. Restaurants (no drive through)
- eee. Reupholstery and Furniture repair
- fff. Sewing, Needlework, and Piece Goods
- ggg. Shoe Retailers
- hhh. Specialty Food Retailers
- iii. Sporting Goods
- jjj. Technical and Trade Schools
- kkk. Theaters
- lll. Tobacco, Electronic Cigarette, and Other Smoking Supplies
- mmm. Travel Arrangement and Reservation Services
- nnn. Used Merchandise
- ooo. Wholesale Trade

2. Special Uses.

- a. Agriculture, Forestry, Fishing, and Hunting
- b. Amusement Arcades
- c. Beer, Wine, and Liquor Retailers
- d. Building Material and Supplies Dealers, except Hardware Retailers
- e. Cemeteries and crematories
- f. Community Food Services
- g. Comprehensive Marijuana Dispensary Facilities, Marijuana Microbusiness Dispensary Facilities, and Medical Marijuana Dispensary Facilities
- h. Day Care Facilities
- i. Department Stores
- j. Drycleaning and laundry services
- k. Financial Institutions (with drive through facilities)
- l. Kennel & veterinary/animal hospital
- m. Gasoline Stations
- n. Hotels and other traveler accommodations
- o. Mortuary
- p. Outpatient Care centers
- q. Passenger car rental (office only, no automobile storage)
- r. Restaurants with drive-through facilities
- s. Self-Storage (Indoor)
- t. Scientific Research and Development Services
- u. Taverns & Bars
- v. Warehouse Clubs and Supercenters

3. Prohibited Uses.

- a. Adult novelty stores
- b. Automobile Dealers
- c. Automotive Repair and Maintenance
- d. Blood and Organ Banks
- e. Car washes
- f. Commercial and Industrial Machinery and Equipment Repair and Maintenance
- g. Fuel Dealers
- h. Manufacturing
- i. Manufactured (Mobile) Home Dealers
- j. Mining, Quarrying, and Oil & Gas Extraction
- k. Other Motor Vehicle Dealers
- l. Residential
- m. Temporary Shelters
- n. Transportation and Warehousing
- o. Waste Treatment/Disposal and Other Waste Management Services

Section 3

Chapter 405: Zoning Regulations of the Code of Ordinances of the City of Normandy is hereby amended by the enactment of Attachment B to Article XIX, to read as follows:

CHAPTER 405 ZONING REGULATIONS

ARTICLE XIX “MU” MIXED-USE DISTRICT

Attachment B

Use Category	Minimum Parking Requirement
Barber Shops/Salons	1 space for each employee and 1 space for each service chair
Bowling alleys	2 spaces per alley
Churches	1 space for every 4 seats or for every 8 feet of bench or pew length
Civic Organizations	1 space for every four seats
Dry cleaning and laundry pickup	1 per 1000 GFA
Equipment sales, service, rental, and repair	2 per 1,000 GFA
Financial institutions	2 per 1000 GFA
Fitness centers	2 per 1000 GFA
Furniture store, retail	2 per 1000 GFA
Gasoline station	1 space for every employee on the maximum shift

Grocery and convenience retailers, under 5000 SF	2 spaces per 1,000 SF of floor area
Hardware retailer	2 per 1000 GFA
Hotels and other traveler accommodations	1 space for every sleeping unit
Multi-family dwellings	1 space for every living unit
Offices of Dentists, Physicians, or other Health Practitioners	2 per 1000 GFA
Other offices and office buildings	2 per 1000 GFA
Recreation centers	3 spaces per 1000 GFA
Restaurants (drive through)	1 space for every 4 seats plus 2 spaces for every 3 employees on the maximum shift and 3 stacking plus 1 at order station
Restaurants (no drive-through), taverns, and bars	1 space for every 6 seats plus 2 spaces for every 3 employees on the maximum shift, or 8.0 per 1000 GFA
Retail sales	3 per 1000 GFA
Scientific Research and Development services	1 space for each employee on the maximum shift
Technical and Trade Schools	1 space for every classroom and office, plus one space for every 4 students over 16 years of age
Theaters	1 space for every 4 seats
Tobacco, Electronic Cigarette and Other Smoking Supplies	2 spaces per 1000 Gross Floor Area (GFA)
All other Uses	2 per 1000 GFA

Section 4

All other Sections and Subsections of Chapter 405: Zoning Regulations, of the Code of Ordinances of the City of Normandy, Missouri shall remain in full force and effect.

Section 5 – Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases, and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase, or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases, and words of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Section 6 – Effective Date

This Ordinance shall be in full force and effect upon the passage of this Ordinance and its approval by the Mayor and attested by the City Clerk.

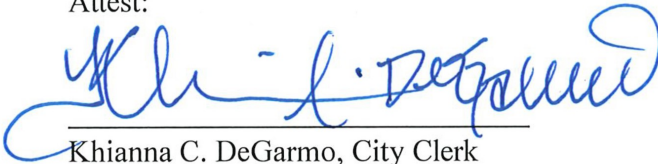
PASSED by the Council of the City of Normandy and **APPROVED** by the Mayor this **14th** day of **May**, 2024.



Honorable Mark Beckmann, Mayor

(SEAL)

Attest:



Khianna C. DeGarmo, City Clerk

APPROVED AS TO FORM:



Andrew R. Bramman - City Attorney