

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 400, CITY PLANNING AND ZONING COMMISSION; SECTION 405.250: GENERAL BUSINESS DISTRICT, BY ADDING "F" "SUPPLEMENTAL REGULATIONS" (1. THROUGH 2.); REGARDING LOFTS AND LIGHTING REGULATIONS, AND AMENDS SECTION 405.250.E.3. "c" (1) TRANSITIONAL YARD REQUIREMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. CHAPTER 400, CITY PLANNING AND ZONING COMMISSION; Section 405.250: "C-2" General Business District is hereby amended by adding "F" *Supplemental Regulations*. Nos. 1. - 2., regarding residential loft dwelling units above first floor retail and office space and regulation of exterior lighting and also amending Section 405.250.E.3. "c" (1), Transitional Yard as follows:

SECTION 405.250 "C-2" GENERAL BUSINESS DISTRICT
ADD NEW:

F. Supplemental Regulations.

1. Residential loft units are allowed above retail or office uses subject to the following limitations:
 - a. Residential uses shall be complementary and secondary to the primary retail commercial and office uses.
 - b. Residential uses shall be restricted from street-level building floors except as permitted through a special use permit. In no case shall a residential use occupy a street-level storefront.
 - c. Residential uses shall not restrict or limit hours of operation, parking, loading, unloading, trash disposal or other activities associated with a permitted commercial or office uses.
 - d. New construction, renovation or other improvements required to accommodate residential uses shall be complementary to the established character of existing uses.
2. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

- a. All lighting sources shall be adequately shielded and positioned to avoid glare or direct visibility of the light source from adjoining residential property and streets.
- b. All outdoor lighting visible from any adjoining properties, except for lighting required for security or safety, shall be turned off between the hours of 11:00 p.m. and 6:00 a.m. except as authorized by special use.
- c. Low-pressure sodium lights may not be used in parking areas or at main entrances. Light fixtures that broadcast light over large areas or that are a source of glare, sky-glow or other light pollution shall not be permitted.
- d. Building mounted lighting shall not extend above the roofline of the building on which it is mounted.

SECTION 405.250.E.3.c

AMEND:

c. Transitional Yard

- (1) Where a side or rear lot line coincides with a side or rear lot line of any lot in an adjacent residential zoning district, then a landscaped yard of at least ten (10) feet]in width shall by provided along such lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a solid decorative wall or fence of at least six (6) feet but not more than eight (8) feet in height shall be provided in such transitional yard.

ALL OTHER PARTS REMAIN THE SAME.

SECTION 2. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 6th day of September, 2011.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: August 15, 2011
Second reading: September 6, 2011